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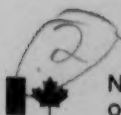
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THE 1946-48 SPECIAL JOINT COMMITTEE ON
THE INDIAN ACT AND EDUCATIONAL POLICY

by

(C)
Jim McMurtry

A THESIS

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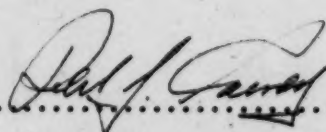
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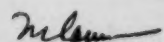
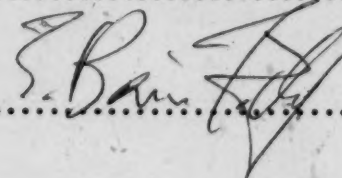
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ABSTRACT

Protection, civilization, and assimilation were the objectives of Canada's Indian policy from Confederation to the early 1970s. The objectives were formulated by government officers who thought Indians were not capable of dealing with non-Indians without being exploited. Therefore, seeking to protect the Indian and his property from exploitation, the British and Canadian governments gave him special status in the social structure, specifically in the B.N.A. Act and the Indian Act. But the legislation the governments drafted always had as its ultimate purpose the elimination of the special status. The means to realize this purpose was by training ("civilizing") the Indian in European ways to make him capable of looking after his own interests. In schools the Indian child was to have the "Indian" schooled out of him. In time native culture and identity would disintegrate, and the Indian would be assimilated and no longer in need of special status.

The 1946-48 Special Joint Committee on the Indian Act made three recommendations with reference to education. The principal recommendation was to school Indian children in association with other children in provincial schools. This schooling option advanced the policy thrust for dealing with Canada's Indians since 1867--the termination of their special rights, which the 1969 White Paper scheduled for immediate and complete implementation.

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CHAPTER I

INDIAN EDUCATION POLICY: AN HISTORICAL OUTLINE

Purpose of the Study

A Special Joint Committee of the Canadian Senate and House of Commons was formed in 1946 to examine the Indian Act as consolidated in 1927 and to recommend changes in essentially all aspects of Indian administration and policy. The Committee made one principal education recommendation in its final report in 1948, namely, to educate Indian children in association with other children in provincial schools. The purpose of this Study is to determine to what extent Indian views, as recorded in the Minutes of Proceedings and Evidence of the Special Joint Committee to Examine the Indian Act, 1946-48, were considered in the drafting of this principal education recommendation.

The study also has three relevant secondary purposes: (1) to outline Indian education policy and its objectives from Confederation to the end of the Second World War and to relate this policy to the Committee's Proceedings and recommendations; (2) to tabulate the educational views of the various Indian and non-Indian constituencies contained in the representations made to the Special Joint Committee; and (3) to relate the Committee's recommendations to the revision of the education clauses in the Indian Act of 1951 and to the character of Indian schooling in the fifties and sixties.

Significance of the Study

The references to education in the Minutes, as with the Minutes themselves, have not been subjected previously to in-depth study. In fact only four studies have been located that contain even a fleeting appraisal of the Committee's principal education recommendation. In this regard two of the studies suggest Indian opinion was in accordance with the recommendation for integrated schooling and two do not. E.R. Daniels in "The Legal Context of Indian Education in Canada" (1973) states:

The recommendations arising out of the deliberations of the Special Joint Committee of the Senate and the House of Commons on the Indian Act...brought about a gradual end to both the policy and the practice of enforced educational segregation for Indian children. It was put to the Committee time and again by the representatives of the various Indian Bands and groups from across the country that this was a necessary and desirable change in policy. The general tenor of these suggestions was typified by the submission of the Aboriginal Natives of the Fraser Valley and the Interior Tribes of British Columbia....

The submission cited by Daniels, which was published in the Minutes 11 March 1947, is reproduced in part below:

The operation of day and residential schools be brought under Provincial jurisdiction, and to the same standard regulations and curriculum properly established, to the same efficiency of non-Native public schools and colleges, thus provide an adequate elementary education and proper technical training for Native pupils....Natives on Reservations adjacent to cities, municipalities, etc. be privileged to enter their children to the nearest Public School.

H.B. Hawthorn in A Survey of the Contemporary Indians of Canada (1966) suggests that Indian opinion was congruent with the principal education recommendation in this statement:

It is evident...that existing trends strongly support the policy of extending provincial services to Indians....Public and parliamentary support for this policy is found in the 1946-48 Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act and in the representations made to the Committee. Strong advocacy of this policy can also be found in the representations before the 1959-61 Joint Committee of the Senate and the House of Commons on Indian Affairs and in the Committee's recommendations.

From a careful reading of Hawthorn's study it is clear that "existing trends" and "public support" for the policy in the 1946-48 representations include Indian views, as is logical considering that the bulk of the representations were presented by Indians.

In contrast E.B. Titley in "The Struggle For Local Control" (1981) argues "the Indians themselves were effectively excluded from these deliberations on their future and, in fact, the representations made to the Committee by Indian organizations were completely at variance with its final recommendations."⁴ Similarly R.J. Carney states in "The Hawthorn Survey (1966-67)--Indians, Oblates and Integrated Schooling" (1983) that "Indian submissions to the first post-war Parliamentary Committee on Indian Affairs indicated a preference for schools on reserves rather than off-reserve integrated schools." Carney also points

out that "a considerable number of Band Council and other Indian submissions to the second Joint Parliamentary Committee on Indian Affairs [1959-61] pressed for reserve schooling at all levels."⁵

From the above it is clear that two interpretations exist, and the purpose of this Study is, as has been said, to determine which one is in accord with the evidence in the Minutes. The Study has also been written as a contribution to the understanding of Indian education policy as formulated in the period immediately following World War II.

Limitations

The Study has two obvious limitations. First, conclusions can be drawn only from the material at hand. The Minutes contain all extant documentation on the Proceedings. The remainder of the documentation, such as the records of the sub-committees, has not been preserved, and unfortunately none of the Committee members could be located.⁶ Second, there is no way of knowing how representative the briefs are of those they purport to represent, particularly those submitted on behalf of Indian groups. In fact, as pointed out in Chapter II, some of the briefs were clearly influenced if not written by missionaries, lawyers, teachers, principals, Mounted Police, or Indian agents.

Review of the Literature

The literature referred to in the Study can be classified

as follows: (Canadian) Indians in General, the History of Indian Policy, the History of Indian Education, the Objects of Indian Policy, and Literature Directly Related to the Committee. Because of the cornucopian nature of the literature (see Bibliography), only the works of particular value to the Study are noted below.

In the area of Indians in general the scope and quality of Getty's and Lussier's As Long as the Sun Shines and Water Flows and Frideres' Native People in Canada⁷ should be noted. D. Jenness' The Indians of Canada⁸ should also receive mention owing to its richness in anthropological detail. These three books are recommended reading for both novice and expert in Indian affairs.

In the area of the history of Indian policy R.J. Surtees' The Original People⁹ stands out, yet it is not as valuable as two government documents, Indian Acts and Amendments, 1868-1950¹⁰ and The Historical Development of the Indian Act¹¹. S.M. Weaver's Making Canadian Indian Policy was useful in respect to this study's interpretation of the Canadian Government's long-standing disregard for Indian views in the determination of Indian policy. She points out that the Indian and non-Indian constituencies involved in the formulation of the 1969 White Paper "often talked past each other because of their different constructions of reality--their own world view values, ideology, and professional training."¹²

In the area of the history of Indian education the three sources worthy of notice are theses: Daniels' "The Legal Context

of Indian Education," J.M. MacLeod's "Indian Education in Canada..."¹³, and H.J. Vallery's "A History of Indian Education in Canada."¹⁴ Numerous articles pertaining to this area were also helpful, particularly R.J. Davey's "The Establishment and Growth of Indian School Administration."¹⁵

Titley's "Duncan Campbell Scott and Indian Education Policy,"¹⁶ Assheton-Smith's "Native Education and Social Control: Application of a Model,"¹⁷ and Carney's "The Hawthorn Survey..." provide brief accounts of the objects of Indian policy for the first hundred years of Confederation, whereas J.L. Tobias' "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy"¹⁸ is more comprehensive. The latter article provides the framework for this chapter's outline of the history of Canada's Indian education policy.

There is ample literature directly related to the Committee. In addition to the Minutes,¹⁹ the Hansard of the House of Commons²⁰ and the Senate,²¹ the Annual Reports of Indian Affairs,²² two files in the Public Archives of Canada,²³ and L.C. Kopas' "Political Action of the Indians of British Columbia"²⁴ were particularly valuable.

Organization of the Study

The Study has been divided into four chapters. The remainder of this chapter delineates Indian education policy from Confederation to the end of the Second World War, with stress laid

upon the Indian Acts and amendments, the objective of Indian policy in general, and the factors contributing to the formation of the Committee.

The second chapter describes the Committee, emphasizing its task, its composition, and particularly its Proceedings. This chapter includes a brief description of the federal government at the time and a general description of the individuals and groups making and/or signing representations.

The third chapter tabulates and summarily discusses the references to education in the representations (both verbal and written) made to the Committee. Particular attention is given to Indian opinion on integrated schooling and its relation to the Committee's principal education recommendation.

The fourth chapter describes the development of the new Indian Act, from the Committee's dissolution in 1948 to the passage of a new act three years later. This chapter also describes the new policy direction of vigorous integration through educating Indian children in association with other children in provincial schools, as well as the explicit policy outcome--the push for integrated schooling in the fifties and sixties. Moreover the chapter assesses the primary finding by placing it within an interpretative framework. And, finally, it notes the implications of the Study and presents suggestions for further research.

Definitions

The Study does not consider Inuit, Metis, and/or non-status Indians. Therefore any use of the word "native" means status Indian. Also, the definitions of Indian, Band, Band in Council, and Reserve are extracted from the 1927 Indian Act. While minor changes were made to these definitions in 1951, the earlier forms are operative throughout the Study.

"Indian"--means

- (i) any male person of Indian blood reputed to belong to a particular band,
- (ii) any child of such person,
- (iii) any woman who is or was lawfully married to such person;

"Band"--means any tribe, band or body of Indians who own or are interested in a reserve or in Indian lands in common, of which the legal title is vested in the crown, or who share alike in the distribution of any annuities or interest monies for which the Government of Canada is responsible...;

"Band in Council"--means "when action is being taken by the band...";

"Reserve"--means any tract of land set apart by treaty or

otherwise for the use or benefit of or granted to a particular band of Indians....²⁵

It may be helpful to also include these two definitions.

"Orders in Council"--mean acts of the executive, viz. the Governor General in Council or the Lieutenant Governor in Council²⁶;

"Governor in Council"--means the "guise" or form the federal Cabinet assumes to give legal form to its decisions. To conform to the principle of the rule of law all executive acts must be authorized by law. Executive acts "may be carried out...by means of an Order in Council under a statute which authorizes the Governor in Council to undertake specific acts."²⁷

Introduction

As a prelude to the Study let us remember that historically Euro-Canadians commonly regarded Indians as lazy, filthy, debauched, puerile, and bellicose.²⁸ They were sometimes regarded as non-humans and savages to be ignored or annihilated--as the Beothuks were. During the late nineteenth century in particular Indians fell victim to "conscious and unconscious genocide," and the expansion of Western civilization that produced this result was viewed as a manifestation of

Christianity and progress. White settlers "embodied the Protestant ethic of thrift and willingness to work hard." Because Indians did not adhere to this ethic, they were often rejected as pagan savages, with no claim to Christian charity.²⁹

Yet the non-Indian did not always reject the Indian. Beginning with the Royal Proclamation of 1763, when Britain recognized the prior sovereignty of Indian Tribes,³⁰ the non-Indian has periodically tried to ameliorate the state of Canada's native people. From the 17th to 19th centuries the stentorian call was to create Christian and civilized redmen. For instance Alexander Morris, who arranged the Canadian Government's initial Indian treaties, stated in 1880: "Let us have Christianity and civilization to leaven the masses of heathenism and paganism among the Indian Tribes."³¹

Missionaries and Imperial administrators needed a framework for their goals, of course, and eventually the latter settled on Indian wardship. By the 1830s the purpose of Canadian Indian policy for the next 140 years had also been determined--to make Indians "into dark-skinned whitemen."³² According to Titley the purpose of Indian education policy until the early 1970s was the same--to destroy the children's link to their ancestral culture and impel their assimilation into the dominant society. Education was one of the instruments of a general policy of Christianization and civilization.³³

As an introduction to the description of Indian education

policy from Confederation to the end of the Second world War, Indian policy and Indian education before Confederation are briefly outlined. Indian policy before 1 July 1867 was administered differently throughout British North America. In Canada West (Ontario) and Canada East (Quebec) until 1860 the Imperial Government managed the affairs and expenses of native Canadians. That year a Crown Lands Department was established and a Commissioner appointed to direct Indian affairs. In other areas of the colony until 1867 Indian affairs were managed by several colonial administrations. After Confederation the direction of Indian affairs was placed under the control of the dominion government.³⁴

Indian schooling began with the arrival in North America of missionaries from Europe, particularly the Jesuits and Ursulines of the Post Tridentine Roman Catholic Church. Indeed all the early schooling efforts with Indian children were wholly missionary in character. For nearly 200 years the task was carried on with little financial assistance from colonial governments. During this period the concepts of education and evangelization were heralded together, the one being necessary to achieve the other.³⁵

As already noted Indian education was an instrument for the civilization of the race. As Sir John Colborne, lieutenant-governor of Upper Canada, said to an assembly of Indians near Manitoulin Island in July 1829:

Children, it is the wish of your Great Father that all his red children should become civilized; and for this purpose he has named a place near Penetanguishene, to settle all those who wish for the change. He will furnish a few of each tribe with cattle, farming implements, and materials to assist in building them houses, and for the young he will provide a school, with teachers....³⁶

An important date in pre-Confederation Indian education is July 1846. At a meeting in Orilla, Ontario, sponsored by the United Province of Canada and attended by several Indian chiefs, the government committed itself to a policy of educating Indians in segregated schools.³⁷ By 1867 there were fifty Indian schools in Canada financed to some degree by colonial governments.³⁸

The power of the dominion government to administer Indian affairs is listed under section 91, subsection 24, of the British North America Act. Upon acquiring this power the federal government absorbed the Crown Lands Department of Canada and the small Indian bureau of Nova Scotia and New Brunswick. Legislation pertaining to Indians passed by the governments of the foregoing jurisdictions was repealed, yet it was not until the 1876 Indian Act that all previous legislation dealing with Indians in all existing provinces and territories was consolidated.³⁹

Between Confederation and passage of the Indian Act in 1876 there were many significant events, legislative measures, and policy initiatives affecting Indians. In 1869 Canada secured the North-West Territories from the Hudson's Bay Company and in 1870 Manitoba entered Confederation. British Columbia joined in 1871, followed by Prince Edward Island two years later. This

territorial expansion complicated the federal government's management of Indian affairs, as did the first five of the "Numbered" Treaties embracing Indians in Western Ontario, Manitoba, and the Territories.⁴⁰

On 22 May 1868 Queen Victoria assented to "An Act providing for the organization of the Department of the Secretary of State of Canada, and for the Management of Indian and Ordinance Lands." This Act assigned the title of Superintendent General of Indian affairs and the "control and management of lands and property of the Indians in Canada" to the Secretary of State. The Act also brought together much of the legislation passed in the Canadas in the previous decade regarding the protection and management of Indian interests by repealing incongruous enactments. Further, it illuminated the government's implicit "guardianship policy."⁴¹ Yet the Act did not contain any reference to education.⁴²

On 22 June 1869 Queen Victoria assented to "An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the [previous] Act". This Act, as the appellation makes plain, was designed in part to free some Indians from wardship. The Indian "who from the degree of civilization to which he has attained, and the character for integrity and sobriety which he bears, appears to be a safe and suitable person for becoming a proprietor of land" qualified for a Letters Patent conferring a life estate on Reserve Land.

Notably, since the passage of the Civilization and Enfranchisement Act in the Canadas in 1859, few Indians had renounced their status and rights in favor of enfranchisement.⁴³ The 1869 Act contained only one reference to education, viz.: the Chief or Chiefs of any Tribe was (were) empowered to frame, subject to confirmation by the Governor in Council, rules and regulations for "the construction of and maintaining in repair of school houses...."⁴⁴

In the 1871 Report of the Deputy Superintendent of the Indian Branch, Department of the Secretary of State, William Spragge noted the intent of the two preceding Acts:

The Acts framed in the years of 1868 and 1869...were designed to lead the Indian people by degrees to mingle with the white race in the ordinary avocations of life.⁴⁵

In 1873 "An Act to provide for the establishment of 'The Department of the Interior'" transferred the title of Superintendent General of Indian Affairs and the attendant command of Indians to the Minister of the Interior.⁴⁶ The Indian department remained a component of this portfolio until 1936.

In 1876 the drafters of the first Indian Act created a framework of Indian legislation that still remains.⁴⁷ Assented to on the 12th of April the Act was designed to "amend and consolidate the laws respecting Indians." Its salient feature was the greater stress laid upon assimilation, as indicated by the clause detailing the forced enfranchisement of some Indians:

Any Indian who may be admitted to the degree of Doctor of Medicine, or to any other degree by any University of Learning, or who may be admitted in

any Province of the Dominion to practice law either as an Advocate or as a Barrister or Counsellor or Solicitor or Attorney or to be a Notary Public, or who may enter Holy Orders or who may be licensed by any denomination of Christians as a Minister of the Gospel, shall ipso facto become and be enfranchised under this Act.⁴⁸

Remarkably, in the 1876 Act an Indian was not considered a person until he was enfranchised: "the term 'person' mean[t] an individual other than an Indian...."⁴⁹ What is even more remarkable is that this stipulation was not removed from the legislation until 1951. Strangely, only one new reference to education was made in the Act, namely, the Governor in Council could determine the proportion of Indian monies to be set aside for support of schools. Because the federal government had committed itself to educational programs for certain Indians in the first five of the "Numbered" Treaties, rules and regulations in some detail were expected and needed.⁵⁰

On 22 August 1876 Deputy Superintendent General Lawrence Vankoughnet wrote a memorandum stating that the Act confirmed "the legal status of the Indians of Canada [was] that of minors, with the government as their guardians."⁵¹ The same year H.L. Langevin (Conservative, Charlevoix) stood up in the House of Commons and stated that Indians "were like children to a very great extent" and "required a great deal more protection than white men."⁵² Both statements reveal the government's longstanding paternal relationship with native people, which was at the heart of its Indian policy.

In 1880 "An Act to amend and consolidate the laws respecting Indians" was passed empowering the government to create the first separate Department of Indian Affairs under the Minister of the Interior. The Act also granted to the Chief or Chiefs of any band in council the nominal power to decide the religious denomination of the teacher on the reserve, "provided always, that he shall be of the same denomination as the majority of the band."⁵³ Moreover, the 1880 Act, along with the Act of 1879, illustrated the government's concern for the protection of reserve Indians from unscrupulous traders (especially in liquor), land speculators, trespassers, and the social evils of local townspeople. These Acts also complemented Prime Minister Sir John A. Macdonald's "civilization program," which purported to protect yet gradually civilize Indians.⁵⁴

At this time Macdonald was also Minister of the Department of the Interior, which had been created in 1873 to advance Western settlement. According to D. Creighton, Macdonald felt his dream of national expansion and retrenchment would become reality once aboriginal title to the Canadian North-West was extinguished and the area settled. To "free" the North-West, Indians were placed on reserves. In the short term the design was to protect and assist them, for the decimation of the buffalo and the disintegration of their traditional way of life compelled the government to do so. In the long term Indians were to be civilized and introduced to mainstream society. In brief

Macdonald was more interested in building a railway and settling the North-West than he was in the welfare of Indians.⁵⁵

On the 19th of April, 1884, the Indian Advancement Act was assented to. This Act conferred "certain privileges on the more advanced Bands [e.g. the Six Nations Iroquois in Brantford, Ontario]...with the view of training them for the exercise of municipal powers." Specifically it was designed to transform tribal regulations into municipal laws and to give band councils a measure of self government. Although some bands were judged ready to share in the privileges of white society, no mention is given to schooling Indian children in white schools or to Indians assuming responsibility for their education.⁵⁶

In the following years the government continued to take measures to make the Indian more independent and civilized, such as barring the "Potlach" ceremony and the "Tamanawas" dance in 1886.⁵⁷ Frideres argues that Indian policy during this period was contradictory, that it was intended to both protect the Indian and provoke him to become more independent and less "native."⁵⁸ Carney supports this view:

[The fact that] Indians were to be removed to places free from the "baleful influences" of white society in order to "inculcate in them the ways of integration" indicates a basic and long standing paradox of Canadian Indian administration.⁵⁹

An amendment to the Indian Act in 1886⁶⁰ empowered the Superintendent General to make regulations for the compulsory school attendance of Indian children between the ages of six and

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fifteen. This was the first attempt to combat the great degree of Indian resistance to schooling that persisted at least until the 1960s.⁶¹ Six years after this amendment was assented to an Order in Council implemented regulations governing the operation of residential (boarding and industrial) schools. The buildings became the joint responsibility of church and state; maintenance, salaries, and other operating expenses were to be paid by per capita grants (the value of the grant being fixed for each school); school books and supplies were to be furnished from ad hoc funds; and schools were to be free (though the practice of requiring Bands in Ontario and Quebec to pay for some schooling costs was not discontinued until 1928⁶²). Regulations governing standards of instruction and domestic care and the appointment of school inspectors were also implemented.⁶³

The education clauses were enlarged in the 1894 Amendment to the Indian Act.⁶⁴ The same year a School Branch was created within the Department of Indian Affairs, for the administration of schools had become an encumbrance for both religious orders and government. Three years later 9,625 Indian children were enrolled in 285 federally supported schools.⁶⁵

By 1906 the numerous amendments to the Indian Act had made it difficult to comprehend. Therefore another consolidated Indian Act was developed. Its 195 sections did not indicate any change in policy, yet around this time a greater determination to bring Indians into mainstream society had evolved. Due to the massive

influx of settlers to the West, Indians began to be regarded as an impediment to Canada's general progress. Reserves for instance were seen to interfere with settlement growth and natural resource extraction. As a result succeeding amendments to the Indian Act during the early twentieth century detailed conditions whereby land could be taken away from Indians with or without their consent.⁶⁷ This greater determination was also underlined by the official Indian Affairs curriculum of 1910, which stipulated that four of the principal lessons in the Standard VI Ethics curriculum to be taught Indian pupils were to be as follows: "Indian and White Life, Evils of Indian Isolation, Enfranchisement, and Labour the Law of Life."⁶⁸

The continued growth of the School Branch necessitated the appointment of a superintendent of Indian education in 1909. The first Superintendent was the poet Duncan Campbell Scott. Scott enunciated the Branch's policy as the fitting of the native for civilized life. This policy led to increases in the parliamentary appropriations for Indian education in succeeding years, except during the Great War.⁶⁹

Scott's attitude toward Indians, especially his idea of their ultimate place in society, is worth noting. According to Titley his attitude was "rooted in the notions of cultural and racial superiority that permeated late Victorian society and which precluded tolerance for that which was foreign or different."⁷⁰ Hence Scott sought to transform these "savages" into civilized

members of society. One way to bring about the transformation was to inject a better quality of blood into the species through intermarriage with non-Indians. Another way was through education. While at an impressionable age the native child could be indoctrinated with superior beliefs and values.⁷¹ Scott brought these views together in a summary of the work of his Department:

The happiest future of the Indian race is absorption into the general population, and this is the object of the policy of our government....The great forces of intermarriage and education will finally overcome the lingering traces of native custom and tradition.⁷²

The 1920 Amendment to the Indian Act made several new references to education, including the establishment of day schools on any reserve, the transport of Indian children to and from boarding or industrial schools, and the appointment of truant officers. Yet the Amendment's most notable aspect was the power the government assumed to enfranchise Indians, suggesting impatience with the progress of assimilation. Section 107, subsection 1, stated that the Superintendent General "may appoint a Board...to make enquiry and report as to the fitness of any Indian or Indians to be enfranchised," and the following subsection stated: "On the report of the Superintendent General that any Indian, male or female, over the age of twenty-one years is fit for enfranchisement, the Governor in Council may by order direct that such Indians shall be and become enfranchised...."⁷³

The genesis of the preceding subsections can be traced to

Scott, a persistent advocate of extending the franchise to as many Indians as possible. In spite of Scott's efforts, however, the compulsory enfranchisement legislation was repealed in 1922 largely because of the Liberal Government's eagerness for political points from the general public and the "universally hostile" Indian response.⁷⁴ It should be noted that such consideration of Indian opinion was unusual. Indian views on the nature and objectives of Indian policy were seldom heeded, and as will be discussed later this pattern endured until the early 1970s.

The consolidated Indian Act of 1927 underlined the government's efforts during the previous two decades to diminish the protective isolation of Indians and to impel them toward citizenship and economic self-sufficiency.⁷⁵ Three years later an amendment to the Indian Act made it possible to compel Indian children to stay in school until the age of sixteen, and if directed by the Superintendent General, until eighteen.⁷⁶ As Titley points out the proviso was in excess of the legislation enforcing school attendance of non-Indians. He also contends that it was part of Duncan Campbell Scott's legacy to his successors and reflected "the central role of education in his grand plan to 'civilize' the Indian population" by destroying their culture and training them for employment in the largely unskilled workforce of the periphery.⁷⁷

In 1933 compulsory enfranchisement was reinstated in the

Indian Act at the instigation of T.G. Murphy (Conservative, Neepawa), Superintendent General of Indian Affairs. Murphy objected to the eligibility of Indians with little Indian blood, particularly those living in towns and cities, to the advantages conferred upon status Indians.⁷⁸ His objection can probably be attributed to the budgetary restraint that characterized many government programs during the Depression.

The new legislation on compulsory enfranchisement purported to recognize treaty rights. The 1933 Amendment to the Indian Act sanctioned compulsory enfranchisement as long as it did not violate the "terms of any treaty, agreement, or undertaking...made between or by the Crown and the Indians of the band in question."⁷⁹ The government, however, did not comply with the guiding principle. For instance when opposition member J. Vallance (Liberal, South Battleford) asked Murphy in the House if the amendment meant an enfranchised Indian was "no longer a treaty Indian entitled to the privileges of a ward," the Superintendent General curtly replied, "Quite so."⁸⁰

In reaction to the new legislation Chief Paul Jacobs of the Caughnawaga Reserve declared: "Compulsory enfranchisement without holding our present rights under the Indian Act could soon lead us to complete extinction."⁸¹ What Jacobs feared--that is, citizenship and assimilation--was in fact government intent.

In 1936 the Department of Indian Affairs became a branch of the Department of Mines and Resources. Two years later the

Branch realized that many of the clauses in the 1927 Indian Act were inadequate and began to consider the preparation of a new Act. The revision process was impeded by World War II, but it was renewed in 1945.

The following year is particularly notable, in some measure because it marked a change in Indian Affairs' rhetoric, but not policy. Ostensibly the Branch's principal goal had changed from assimilation to integration. In other words the Indian was to remain distinct, at least superficially. As J. Allison Glen (Liberal, Marquette), Minister of Mines and Resources, told the House:

[Indian policy should not] be aimed at making the Indian into a white man. The Indian...should retain and develop many of his native characteristics, and...ultimately assume the full rights and responsibilities of democratic citizenship."⁸²

1946 also marked the formation of the Special Joint Committee of the Senate and the House of Commons to study the 1927 Indian Act and to make suggestions for change. Before discussing the factors contributing to the Committee's formation, the size of the Indian population and some features of Indian education at the time will be noted.

The Department of Mines and Resources Annual Report for the year ending 31 March 1946 includes the 1944 quinquennial census of the Indian population which shows the total population as 125,946. In 1883 the total population was 131,137, and in 1924

it was 104,894.⁸³ In a small way the enfranchisement program contributed to the drastic decrease: from 1859 to 1925 the number of Indians enfranchised was 1,202.⁸⁴ Nevertheless, during 1946 600 Indian bands, varying in size from a single family to more than 6,000 persons, were settled on 2,000 reserves, varying in size from a few acres to five hundred square miles.⁸⁵

In reference to school attendance the Annual Report indicates:

- (a) residential school enrolment = 9,149
(average attendance = 8,264)
- (b) day school enrolment = 9,532
(average attendance = 6,691)
- (c) total school enrolment = 18,805
(total average attendance = 15,043 or 79.99%)

It is important to note that enrolment in the federal residential schools rose by 135 pupils to 9,233 from 1937 to 1948 whereas day school enrolment rose by 3,001 pupils during this time. Since 1924 the total school enrolment had risen by 4,933, and, since 1883 it had risen by 14,411.⁸⁶ Notwithstanding the increment in enrolment, according to R.A. Hoey, Director of the Indian Affairs Branch, approximately 12,000 additional Indian children of school age did not have access to educational facilities in 1946: "These pupils [were], with few exceptions, the children of nomadic bands of Indians living in the northern regions of the provinces and in the Northwest Territories."⁸⁷

The 1946 Annual Report also notes a scarcity of teachers and that "several unqualified teachers" were employed; in fact fourteen schools did not reopen that year due to the "inability to

secure teachers." Moreover the Report indicates that continued attention was given to increasing vocational training at all residential schools and at several of the larger day schools, and that "the payment of the family allowances [not issued to parents of truants] is reflected in the increased enrolment and average attendance at Indian day schools." Finally the report lists the ordinary expenditure for Indian education for the year as \$2,298,320, an increase of only \$354,518 from 1924.⁸⁸

At least five interrelated factors contributed to the formation of the Special Joint Committee on the Indian Act. The first was the new climate of opinion around 1946 which favored the distinctness of ethnic groups within Canadian society. This climate of opinion was likely created by the Depression, two cruel wars, the United Nations' Charter, the "death-knell of imperialism" in Africa and Asia, the struggle of American blacks for suffrage and equality, and perhaps even, as Titley suggests, "the propaganda necessities of the Cold War."⁸⁹

Second, because Indian communities had become less isolated and Indians greater in number, the government and the general public became more conscious of the Indians in their midst.⁹⁰ As a result many queries were made about the sad lot of Canada's first people, such as the following by J.R. MacNicol (Conservative, Davenport) in the House of Commons in 1946:

I have often wondered why it was that the Indians of Canada, who have been so long under the control of the whiteman, have not advanced as rapidly as the Maoris of New Zealand and even the coloured

races in South Africa.⁹¹

In short Indians were seen to be unprepared for entry into a complex and technological society, perhaps more so than some indigenous groups outside of Canada, and an increasing number of non-native Canadians wanted to know why.⁹²

The third factor was "that a large number of Indians, in some cases as many as fifty percent, temporarily abandoned life on the reserves during the war period to accept work in war industries" influenced public opinion and contributed to the formation of a Committee that intended to ameliorate the sorry plight of Indians in general.⁹³ The Indian war effort, importantly, was not limited to work in war industries: for instance 3,096 Indians enlisted in the armed forces.⁹⁴

Fourth, in 1945 Indian organizations, churches, and citizen groups across Canada called for a royal commission to study the administration of Indian Affairs and conditions on reserves. Collectively they entreated the government to revise completely the Indian Act and draw an end to discrimination against the native.⁹⁵ Therefore it can be said that Indians were involved in the instigation of the Committee.

Fifth, in 1942 the Welfare and Training Service of the Indian Affairs Branch initiated a survey of the medical and dietary needs of the Indians in northern Manitoba. The survey's results indicate, among other things, the infant-mortality rate among these bush Indians reached almost 400 per 1,000 live births,

compared to 52 per 1,000 for the non-native population of Canada. Naturally the results gave rise to "demands for a more extensive study of conditions on Indian reserves in northern Canada."⁹⁶ Importantly the conditions on Indian reserves throughout all of Canada during the war were deplorable. As evidence, in 1944 Canadian Indians were dying at about eighteen times the rate for non-Indians from tuberculosis, seven times the rate for non-Indians from pneumonia, twelve times the rate from influenza, thirty-one times the rate from whooping cough, and forty-six times the rate from measles.⁹⁷

Objectives of Indian Policy: A Summation

As has been pointed out "protection, civilization, and assimilation" were the objectives of Canada's Indian policy from Confederation at least until the early 1950s. The objectives were formulated by government functionaries who thought Indians were not capable of dealing with non-Indians without being exploited. Thus seeking to protect the Indian and his property from exploitation, the British and Canadian governments gave him special status in the social structure, specifically in the B.N.A. Act and in the Indian Act. Yet the legislation the governments produced, reflecting paternal instincts, always had as its ultimate purpose the elimination of the special status. The means to realize this purpose was by training--i.e. "civilizing"--the Indian in European ways to make him capable of looking after his

own interests. In time native culture and identity would disappear, and the Indian would be assimilated and no longer in need of special status.⁹⁸ The following description of Indian policy by Sir John A. Macdonald in 1880 reflects this summary statement:

...to wean [Indians] by slow degrees, from their nomadic habits, which have almost become an instinct, and by slow degrees absorb them or settle them on the land. Meantime they must be fairly protected.⁹⁹

CHAPTER I NOTES

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³ H.B. Hawthorn, A Survey of the Contemporary Indians of Canada, vol. 1 (Ottawa: Queen's Printer, 1966), p. 209.

⁴ E. Brian Titley, "The Struggle for Local Control," Journal of American Indian Education 20 (May 1981):19.

⁵ Robert J. Carney, "The Hawthorn Survey (1966-67)--Indians, Oblates and Integrated Schooling" (a paper presented to the joint meeting of the Canadian Catholic Historical Association and the Canadian Church Historical Association, 7 June 1983), p. 22.

⁶ Having knowledge of the places of residence of the Committee members in 1948, acquired from the Canadian Parliamentary Guide 1948 (see Bibliography), the writer looked through the corresponding city or regional directory for 1983 and found only three members listed. Through correspondence it was learned that these members died several years ago.

⁷ James S. Frideres, Native People in Canada, 2nd ed. (Toronto: Prentice-Hall Canada Inc., 1983).

⁸ Diamond Jenness, The Indians of Canada (Ottawa: The National Museum of Canada, 1960).

⁹ Robert J. Surtees, The Original People (Toronto: Holt, Rinehart and Winston of Canada, Limited, 1971).

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- 15 R.F. Davey, "The Establishment and Growth of Indian School Administration," in The Education of Indian Children in Canada, ed. L.G.P. Waller (Toronto: The Ryerson Press, 1965).
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- 18 John L. Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy," in As Long as the Sun Shines and Water Flows, ed. Ian A.L. Getty and Antoine S. Lussier (Vancouver: University of British Columbia Press, 1983).
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- 25 17 George V., chap. 98, s. 2, ss. b, d, j.
- 26 Encyclopedia Canadiana, 1977 ed., s.v. "Orders in Council."

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- 28 J. Rick Ponting and Roger Gibbons, Out of Irrelevance (Toronto: Butterworth & Co. Ltd., 1980), pp. 67-94.
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- 30 Getty and Lussier, "Preface," As Long as Sun Shines, p. ix.
- 31 Alexander Morris, The Treaties of Canada with the Indians of Manitoba and the North-West Territories, pp. 296-97 as quoted in Frideres, Native People, p. 2.
- 32 George F.G. Stanley, "Introductory Essay," in As Long as Sun Shines, ed. Getty and Lussier, p. 13.
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- 35 Daniels, "Legal Context of Indian Education," p. 67.
- 36 Sir John Colborne as quoted in Duncan Campbell Scott, "Indian Affairs, 1840-1867," in Adam Shortt and Arthur G. Doughty, eds., Canada and its Provinces 5 (Toronto: The Edinburgh University Press, 1914), p. 334.
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CHAPTER II

THE 1946-48 SPECIAL JOINT COMMITTEE

This chapter describes the Special Joint Committee, emphasizing its task, its composition, and particularly its Proceedings. As an introduction it should be noted that R.B. Bennett resigned as prime minister shortly after being defeated at the polls in 1935, and on the 23rd of October William Lyon MacKenzie King (Liberal, Prince Albert) took over. King built a strong national party and his administration was sustained at the polls in 1940 and 1945. The post-war period was enlivened by the economic growth initiated by the war, and as usual prosperity brought contentment, reflection, and political stability. The trends were toward greater industrialization and urbanization, toward the welfare state, and toward increased American ownership of Canadian manufacturing industries. As the chill of the Cold War set in, Canada moved closer to the U.S. and further from Britain.¹

On September 6, 1945, the Twentieth Parliament of Canada began. At this time the House of Commons comprised 243 members: 126 Liberals, 64 Conservatives, 27 members of the Cooperative Commonwealth Federation, 14 Social Crediters, and 12 others. The Senate comprised 86 members: 61 Liberals, 22 Conservatives, and 3 others.² In the House on the 24th of October member G.H. Castleden (C.C.F., Yorkton) asked J.A. Glen, the Minister of Mines

and Resources:

1. What steps have been taken by the government to set up a royal commission to inquire into the conditions of the Indians across Canada prior to the amendment of the Indian Act?
2. Have any organizations in Canada petitioned or requested the government for such a commission?
3. If so, what organizations?

Glen's immediate and prepared response was:

1. Consideration has been given to the desirability of appointing a royal commission to inquire into the needs of the Indian population. No decision, however, with respect to the matter has been reached.
2. A number of organizations have recently petitioned the government for the creation of such a commission.
3. Committee of friends of the Indians, the Alberta council on child and family welfare, Okanagan society for the revival of Indian arts and crafts, Indian Association of Alberta, North American Indian Brotherhood.

As reported in the Regina Leader Post December 15, 1945,

Glen "expressed agreement in the commons...with [the frequently voiced] suggestion that a committee be established at the next session of parliament to study the whole question of Indian affairs."⁴ Four months later, in response to a query in the House about revising the Indian Act by J.M. Dechene (Liberal, Athabasca), Glen said: "I am glad to be able to inform the honourable member for Athabasca that since I made the statement to which he refers the matter has been considered further by the government and it is proposed to set up a joint committee...to examine and consider the Indian Act."⁵ Consequently an order of reference was resolved in the House of Commons (13 May 1946) and

in the Senate (16 May 1946):

That a joint committee of the Senate and the House of Commons be appointed to examine and consider the Indian Act...and amendments thereto and to suggest such amendments as they deem advisable, with authority to investigate and report upon Indian administration in general and, in particular, the following matters:

1. Treaty rights and obligations.
2. Band membership.
3. Liability of Indians to pay taxes.
4. Enfranchisement of Indians both voluntary and involuntary.
5. Eligibility of Indians to vote at dominion elections.
6. The encroachment of white persons on Indian Reserves.
7. The operation of Indian Day and Residential Schools.
8. And any other matter or thing pertaining to the social and economic status of Indians and their advancement, which, in the opinion of such a committee, should be incorporated in the revised Act.

The Senators appointed to act on the Committee were:

A. Blais (Liberal), Y. Dupuis (L.), I.C. Fallis (Conservative), C.E. Ferland (L.), R.B. Horner (C.), J.F. Johnston (L.), G.B. Jones (C.), J.A. Macdonald (C.), D. MacLennan (L.), J. Nicol (L.), N.M. Paterson (L.), and W.H. Taylor (L., deputy chairman).

Appointed from the House of Commons were:

B. Arsenault (L.), J.H. Blackmore (Social Credit), D.F. Brown (L., chairman), H.E. Brunelle (L.), W. Bryce (Cooperative Commonwealth Federation), W.G. Case (C.), G.H. Castleden (C.C.F.), J.A. Charlton (C.), T. Farquhar (L.), W. Gariepy (L.), J.L. Gibson (L.), J.A. Glen (L.), D.S. Harkness (C.), W. Little (L.), J.R. MacNicol (C.), M. Maclean (L.), J.E. Matthews (L.), L.J. Raymond (L.), T. Reid (L.), C.T. Richard (L.), F.T. Stanfield (C.), and G. Stirling (C.).

The Committee was formed in the usual manner. According

to Bourinot's Parliamentary Procedure and Practice "the mover [of a special committee] may submit the names to form the committee, unless objected to by five members."⁸ No member objected to Glen's submission. Reflecting the composition of the House, twenty of the thirty-four Committee members were chosen from the government side.

Shortly after the Committee was formed Glen affirmed in the House that its establishment was "in strict conformity with sound parliamentary practice."⁹ In parliamentary practice, for instance,

when a committee is appointed in the Senate [or House of Commons] it is usual to ask in the motion for power to send for persons, papers and records, to examine witnesses under oath, engage counsel, to report from time to time or ask for other powers that may be deemed necessary.¹⁰

In accordance the Committee asked in the foregoing motions for power.

The Committee's first sitting was Tuesday, 28 May 1946. Two days later Castleden, the gadfly of the Liberal-dominated Committee, gave notice of a key motion:

Therefore be it moved that this Committee immediately invite the Canadian Indians to send at least five Indians to represent the following five parts of Canada: (1) British Columbia and Alberta; (2) Saskatchewan and Manitoba; (3) Ontario; (4) Quebec; and (5) the Maritime Provinces; to sit in on all the deliberations of this Committee with watching briefs and to be available to be examined as witnesses under oath.¹¹

The motion was accepted and referred to the subcommittee on agenda

and procedure (steering committee) on May 31. On June 4 the chairman, D.F. Brown (Liberal, Essex West), reported to the Committee that "the steering committee did discuss the matter and they did come to the conclusion that it would be better to have one person as counsel to represent the Indians; and to be a liaison officer." That day, as a result, a motion to engage counsel was passed, but the issue of Indians sitting in on all the deliberations with watching briefs and being available to be examined as witnesses was not resolved.¹²

The counsel engaged was Norman E. Lickers, an articulate, politically knowledgeable Indian barrister from the Six Nations Reserve near Brantford. Significantly, his participation in the Proceedings enabled Brown to declare: "So it can truthfully be said the Canadian Indian is constantly represented before the Committee."¹³ Also significant were two pronouncements by J.R. MacNicol, an especially bold and candid member, in the beginning weeks of the Proceedings, viz.:

- (1) The objective of the Committee...[is] the alleviation of the whole Indian administration from beginning to end;
- (2) [Indian children should attend public schools] so that they will make progress and eventually take their place in this country the same as our own people and those who come from other lands.¹⁴

The pronouncements did not arouse any objection, perhaps indicating Committee members were disposed to the assimilation of Canada's first people before any Indian voice was heard.

In the third report of the subcommittee on agenda and

procedure, adopted 21 June 1946, it was proposed that the Committee direct the liaison officer to:

communicate with all Indian organizations, Indian bands, and other organized or unorganized Indians, asking them to submit to him...such representations as they desired to make to the committee with regard to the matters covered by the order of reference.¹⁵

The Committee concurred with the proposal, and Lickers solicited the said Indians for material representations (briefs).

The methodology of this inquiry of Indian opinion produced several problems. To begin with, many of the briefs were clearly influenced if not written by missionaries, lawyers, teachers, principals, Mounted Police, or Indian agents (largely due to the substandard English writing skills and lack of political sophistication of the greater number of Indian leaders). British Columbia's Lower Kootenay Reserve provided a good example. Apparently unassisted at first by non-Indians,¹⁶ members of the Reserve submitted a brief, dated 15 July 1946, that indicated:

We want more schooling hours in the [Cranbrook] Residential school,...change of teachers, and principals, no sisters, less spiritual teaching, more mechanical and farming or such. Children to come home on Christmas and New Year's holidays if the parents wish them. If the government sees fit they can build a day school on our reserve, give children a chance to go to higher school after going through grade school or send them to training school or trade school.

In October 1946, after a discussion with the principal of the Cranbrook school,¹⁸ Reserve members sent another brief to the Committee, stating:

At school our children should learn their Religion so that they may be good citizens and good Christians. We do not want our children sent to non-religious schools. In our letter of July 15th we asked for the removal of the Principal and the Sister-teachers. We now wish to withdraw that statement as it was made without due consideration and examination. We find their management of the school under the financial difficulties which they have to contend with, not only acceptable, but highly commendable.¹⁹

Another problem with the methodology is that the Indian briefs occasion doubt as to whether they represent the opinions of those spoken or signed on behalf of. For instance Father J.M. Patterson, a non-Indian,²⁰ sent a brief to the Committee that begins: "We who are Native Indians of British Columbia, registered under the Indian act, beg to submit to you these recommendations on behalf of ourselves and our dependent children."²¹ A note following the brief points out:

This brief is sponsored by the Catholic Indian Institute of B.C., an association comprised of Indians, Chiefs, Captains, Watchmen and other leading Indians who carry out social works on the Indian reserves...and [which is] representative of the approximately 15,000 Catholic Indians of B.C.²²

A further problem with the methodology is that some Indians gave their allegiance to organizations for personal reasons rather than for community purposes. For instance after a visit from a vice-president of the Native Brotherhood of British Columbia some of the province's interior Indians changed loyalties during the 1947 Proceedings.²³ Chief Paddy Burns of Burns' Lake wrote to the Committee:

Mr. Andy Paull [President, North American Indian Brotherhood] has already got \$300 and over from me and has never helped me; instead he wants another \$25 to take the matter up with Victoria. All Mr. Andy Paull wants is money but I am not giving him any more, so I ask the Native Brotherhood of B.C. to be our representative....²⁴

Further in regard to the Proceedings, on the 9th of July, 1946, Castleden's aforementioned motion was debated and shelved once more, but the matter of Indians sitting in on all the deliberations was settled by the following motion, agreed to on division:

That whilst this committee is happy to welcome to any open meeting any person interested in the proceedings of the committee, it is not of the opinion that at the present time the work of the committee would be facilitated, or expedited, by authorizing the constant attendance before it, with watching briefs, of any number of Indians or other representatives.²⁵

This motion provoked some negative coverage of the Proceedings, as illustrated by the Toronto Star article below:

DEFEAT MOVE TO LET INDIANS GIVE OPINION

Ottawa, July 9--(CP)--A resolution by G.H. Castleden (C.C.F., Yorkton) that five Indians be appointed immediately to serve on the committee with watching briefs was defeated to-day after a stormy discussion at the parliamentary committee on Indian affairs.

Mr. Castleden said: "We don't get a proper picture of the Indian problem unless we have Indians here to listen to the departmental evidence and then give us their opinion of it. The Indian hasn't been given a square deal...."

Mr. Bryce (C.C.F., Selkirk) said that, since the Indian Act was going to be amended to improve the conditions of the Indian, "surely he has a right to sit in on this committee...."²⁶

Several weeks later Castleden expressed this concern in

the House of Commons:

While there are 130,000 Indians in the country, our education and training of these people take care of only about 16,000. Of this number enrolled, only 883 reach grade 7, 324 reach grade 8, and seventy-one reach grade 9. I notice in three of ²⁷the provinces there are no grade 9 students.

Obviously the educational problems of native youth were great. To help mitigate these problems the Committee recommended in its third and final report of the 1946 Proceedings to the Senate and the House of Commons:

That the Indian Affairs Branch immediately undertake the drafting of plans:

(1) for the construction of such additional accommodation as is necessary to relieve the present over-crowding in certain Indian day schools; [and]

(2) to provide for the construction ²⁸of such other Indian day schools as...are needed.

The report also included the Committee's agenda for the succeeding two parliamentary sessions. Because the 1946 session was largely taken up by the testimony of departmental officials, the Committee decided to send for the representatives of Indian, church, and other organizations during the 1947 session. In 1948 it planned to revise the Indian Act. ²⁸

To continue the work of the Committee during the parliamentary recess the government selected ten members of the Committee for a commission under the Inquiries Act to visit and inspect several Indian reserves and schools in Quebec and the Maritimes. ³⁰ From October 20 to November 6 the Royal Commission on the Indian act and Indian Administration in General held

meetings on nineteen reserves. After one meeting the head of the commission (Brown) told the Canadian Press that , as reported in the Saint John Telegraph Journal 31 October 1946, "conditions at Indian reservations which we have visited, and Indian affairs in general,...appear to be good."³¹

Committee members not sitting on the commission were also engaged after prorogation. They visited Indian reserves in or near their ridings and recorded their observations. In the incipient weeks of the 1947 Proceedings they would give an account of their visits.

On the 13th of February, 1947, it was ordered bicamerally "that the Senate and House of Commons do unite in the appointment of a Joint Committee [on the Indian Act] to continue and complete the examination and consideration begun."³² The 1947 Proceedings embraced the appointment of the education subcommittee. Composing the subcommittee were departmental officers B.F. Neary and P.N.L. Phelan and eight Committee members: J.E. Matthews (chair), I.C. Fallis, W.H. Taylor, Brown, H.E. Brunelle, W.G. Case, J.A. Charlton, and T. Reid.

Because of their bearing on the principal recommendation with regard to education in the Committee's final report (i.e. to educate Indian children in association with other children) four points about the subcommittee's composition should be noted. First, Neary and Phelan were subject to the authority of R.A. Hoey, Director of the Indian Affairs branch, and Hoey's acceptance

of integrated schooling in provincial schools was recorded in concise form in the Globe and Mail 25 June 1947: "[the] gradual transformation to state [provincial] education is inevitable."³³

Second, in Neary's representation to the Committee a strong endorsement of integrated schooling was made (see Appendices A to C). His colleague Phelan, however, did not make any reference to education in his representation. Third, Matthews (Liberal, Kootenay East) gave an opinion in the 1947 session that plainly intimated a preference for integrated schooling:

[Dr. P.E. Moore] made a remark that the ultimate aim of [the Indian Affairs Branch]...should be absorption or assimilation. There was no definite aim set forth when the committee was formed, but I think that you agree that that should be the aim eventually.³⁴

And finally, Reid's (Liberal, New Westminster) partiality was flatly disclosed in the third session:

There is a thought in the minds of some members of the committee--not all--of having Indian children sent to municipal or provincial day schools. In that way we could get them out and among the white children--similar to what happened in British Columbia with the Japanese children mixing with our people--the better.³⁵

Because there is no evidence to suggest that members of the education subcommittee supported any other schooling option, one can conclude that the subcommittee harbored a strong predilection for integrated schooling.

On the 21st of March, 1947, the third report of the subcommittee on agenda and procedure was adopted. Because of its significance the first section of the Report, titled "Hearing of

Representatives of Indian Organizations," is reproduced below:

Your subcommittee has given further consideration to this matter and recommends that hearing of these representatives commence immediately...; that three representatives be heard from each province; that their travel expenses...and their living expenses for two days in Ottawa be paid; that the number of representatives from each provincial organization and the order of their appearance be as follows:

1. Native Brotherhood of British Columbia, 2 representatives; unaffiliated Indians, British Columbia, 1 representative.
2. Indian Association of Alberta, 2 representatives; unaffiliated Indians of Alberta, 1 representative.
3. Protective Association of Indians and their Treaties, 1 representative; Indian Association of Saskatchewan, 1 representative; Union of Saskatchewan Indians, 1 representative.
4. Indian Association of Manitoba, 2 representatives; unaffiliated Indians of Manitoba, 1 representative.

In each case the Indian organization above-named will be responsible for the selection of a representative of the unaffiliated Indians of the province concerned.

The North American Indian Brotherhood will be allowed three (3) representatives..., one to represent the Indians of Eastern Canada, one to represent the Indians of Central Canada and one to represent the Indians of Western Canada. The representatives of this Brotherhood will be heard after the hearing of representatives from other organizations.

No representative of any Indians, organized or unaffiliated, is to appear before the Committee until he receives a wire telling him of the date of his appearance....

Such representatives will..send written briefs to the Committee....

Your subcommittee will report at a later date with regard to hearing representatives from Indians in Ontario and Quebec.³⁶

The Minutes do not contain any further reference to the selection of Indian representatives from Ontario and Quebec.

Notwithstanding, six organizations from Ontario and seven from Quebec sent delegations to the Committee. Representing Ontario were: Six Nations Indians from Brant County, Manitoulin and North Shore Indians, Union of Ontario Indians, Northwest Angle Indians, southwestern Ontario Indians, and Robinson Treaty and James Bay Indians. From Quebec were: Indians of Caughnawaga, Indians of Bersimis Agency, Indians of Abitibi Agency, Indians of St. Regis Agency, Iroquois Tribe of Lake of Two Mountains, Indians of Oka, and Abenakis of Pierreville.³⁷ Indians in the Maritimes and the Northwest Territories did not send any representatives. Archival evidence suggests that a few Indian bands wanted to draw on their band funds to send representatives but were precluded from doing so, thereby essentially preventing their attendance.³⁸

The procedure for the Indian as well as non-Indian representations was for the Committee to cite the representative as a witness, instruct him to make a brief speech, then question him. Several Indians, such as N.A.I.B. President Andrew Paull and Caughnawaga spokesman Matthew Lazare, delivered scolding, opprobrious speeches, though most expressed sincere gratitude for the opportunity to present their views.

Andrew Paull and his organization are worthy of special note. Paull, always a controversial figure in Indian politics, formed the North American Indian Brotherhood in 1944. As its only president, he was eventually able to turn it into a vehicle for his own point of view. Although the N.A.I.B. was never composed

of more than a few hundred individuals, the Indian Affairs Branch used many tactics to sully its leader and hamper its development. After Paull's death in 1959, the N.A.I.B. faded out of existence and the need for a national organization became more apparent. In 1961 the National Indian Council was formed, followed by the National Indian Brotherhood in 1968.³⁹

In its fourth report of the 1947 session to the Senate and the House of Commons (10 July 1947), which brought that year's Proceedings to an end, the Committee made twenty-six recommendations, most relating to the administration of Indian Affairs. Its only recommendation with respect to education was:

That the whole matter of the education of Indians be left over for further consideration. In the meantime, however, it is recommended that all educational matters, including the selection and appointment of teachers in Indian schools, be placed under the direct and sole responsibility of the Indian Affairs Branch.⁴⁰

This recommendation led to the eligibility of Indian day school teachers later that year for pension privileges under the Civil Service Superannuation Act, "mark[ing] a great step foward in raising the status of teachers" in Indian schools.⁴¹

The 26 recommendations were badly received in the press and by the opposition members in the House of Commons and the Senate. In the Montreal Gazette (18 July 1947) the Committee was criticized for "recommend[ing] merely some improvements for maintaining the status quo [and] racial discrimination."⁴² The Vancouver Daily Province (13 August 1947) praised the Committee

for several of its recommendations, but criticized it for "fail[ing] to touch the core of the problem, that of a complete new deal for the Canadian Indian."⁴³ In the House of Commons on the 10th of July, 1947, T.L. Church (Conservative, Broadview), who joined the Committee that year for a mere twenty days in March, stated: "The Committee was a great disappointment; it did not take the action which was requested. There is only one point they had to decide, namely, are the Indians citizens or not."⁴⁴ And in the Senate several members did not want to concur with the recommendations before examining them, and when the motion for concurrence was later agreed to, it was on division.⁴⁵

The government delayed reconstituting the Committee in the 1948 parliamentary session. It was finally reconvened on the 19th of February, with the same Order of Reference as before. During that session it held fewer meetings and heard fewer witnesses. Because the Indian Act was considered and revised "in camera," the Minutes are scant and uninformative. One year later erstwhile Committee member Case (Conservative, Grey North) divulged to the Commons, however, that the closed deliberations were marked by consensus.⁴⁶

In its final report of the 1948 Proceedings to the Senate and the House of Commons the Committee stated that revisions were necessary "to make possible the transition of Indians from wardship to citizenship and to help them to advance themselves."⁴⁷ In accordance the Committee also recommended "that it be the duty

and responsibility of all officials dealing with Indians to assist them to attain the full rights and to assume the responsibilities of Canadian citizenship."⁴⁸ Assimilation was truly the Committee's primary goal. Indeed this goal is also underlined by the following education recommendation in its final report:

Your Committee recommends the revision of those sections of the Act which pertain to education, in order to prepare ⁴⁹Indian children to take their place as citizens.

The final report was agreed to without debate or division in both Assemblies. Indeed the Committee was not mentioned again in either Assembly until the second parliamentary session in 1949, when J.L. Gibson (Liberal, Comox-Alberni), who was originally a member of the Committee, told the House: "I should like to say that the Indian Affairs committee did do splendid work. There was nothing in the work that has not been satisfactory."⁵⁰

CHAPTER II NOTES

- ¹ C.P. Stacey, "Through the Second World War," in The Canadians 1867-1967, ed. J.M.S. Careless and R. Craig Brown (Toronto: The MacMillan Co. of Canada Ltd., 1967), pp. 275-308.
- ² See The Canadian Parliamentary Guide, ed. A.L. Normandin (Ottawa: Syndicat d'Oeuvres Sociales Limitée, 1948).
- ³ House of Commons Debates, 1945, 2nd Session, p. 1445.
- ⁴ PAC, file 470-3-7, pt. 1
- ⁵ House of Commons Debates, 1946, p. 811.
- ⁶ Minutes, 1946, p. iv.
- ⁷ Ibid., p. iii.
- ⁸ Sir John George Bourinot, Parliamentary Procedure and Practice, 4th ed. Toronto: Canada Law Book Company, 1916, p. 459.
- ⁹ House of Commons Debates, 1946, p. 1447.
- ¹⁰ Bourinot, Parliamentary Procedure, p. 458.
- ¹¹ Minutes, 1946, p. ix.
- ¹² Ibid., pp. 43, 51.
- ¹³ Ibid., p. 417.
- ¹⁴ Ibid., pp. 41, 230.
- ¹⁵ Ibid., p. 263.
- ¹⁶ Kopas, "Political Action of Indians," p. 122.
- ¹⁷ Minutes, 1946, p. 865.
- ¹⁸ Kopas, "Political Action of Indians," p. 122.
- ¹⁹ Minutes, 1947, p. 170.
- ²⁰ Kopas, "Political Action of Indians," p. 121.
- ²¹ Minutes, 1947, p. 2044.

- 22 Ibid., p. 2050.
- 23 Kopas, "Political Action of Indians," p. 124.
- 24 Minutes, 1947, p. 825.
- 25 Minutes, 1946, p. 494.
- 26 Ibid., p. 512.
- 27 House of Commons Debates, 1946, p. 5489.
- 28 Minutes, 1946, p. 758.
- 29 Ibid.
- 30 PAC, file 470-3-7, pt. 1.
- 31 Ibid. See also George F. Henderson's Federal Royal Commissions in Canada, 1867-1966 (Toronto: University of Toronto Press, 1967).
- 32 Minutes, 1947, pp. 1-2.
- 33 PAC, file 470-3-7, pt. 1.
- 34 Minutes, 1947, p. 1866.
- 35 Minutes, 1948, p. 47.
- 36 Minutes, 1947, pp. 241-50.
- 37 Ibid., pp. 1265-67, 1365-1417, 1705-1841.
- 38 Ian V.B. Johnson, "Helping Indians to Help Themselves--A Committee to Investigate Itself, the 1951 Indian Act Consultation Process," THRC (1984), p. 25.
- 39 Don Whiteside, "Efforts to Develop Aboriginal Political Associations in Canada 1850-1965" (Ottawa: Aboriginal Institute of Canada, 1974), pp. 53-87.
- 40 Minutes, 1947, p. 2004.
- 41 Department of Mines and Resources, Annual Report, 1948, p. 217.
- 42 PAC, file 470-3-7, pt. 1.

- 43 Ibid.
- 44 House of Commons Debates, 1947, p. 5345.
- 45 Senate Debates, 1947, pp. 637, 647.
- 46 House of Commons Debates, 1949, 1st Session, pp.
2584-85.
- 47 Minutes, 1948, p. 187.
- 48 Ibid.
- 49 Ibid., p. 188.
- 50 House of Commons Debates, 1949, 2nd Session, p. 2276.

CHAPTER III

THE EDUCATIONAL REFERENCES OF THE COMMITTEE

Approximately half of the written and oral representations contained in the Minutes give notice to education. 30 of these 150 representations were presented and/or signed by non-natives or non-native organizations. The 120 Indian representations constitute the educational opinions of every Indian organization and over one-quarter of the (status) Indian bands in Canada in the late forties.¹ The educational opinions of many northern and Maritime Indians, however, were not set before the Committee.

It is possible to categorize the representations into twenty-four principal requests or declarations. In this chapter these requests and declarations are arranged in three sections--Indian School Structure, Indian Schooling Alternatives, Indian Schooling Standards--and are summarily discussed. The purpose is, of course, to determine the Indian and non-Indian educational opinions and note the implications. For a complete tabulation of the educational opinions contained in the representations see Appendices A to C.

Indian School Structure

The six requests in this section, as listed in Table 1, need some clarification. To begin with, semi-residential schools are simply residential schools located closer to the Indian

TABLE-1

INDIAN SCHOOL STRUCTURE

	B.C.	Alta.	Sask.	Man.	N.W.T.	Ont.	Que.	Mar.	Indian Organiz- ations	Govern- ment Officers	Other Individ- uals and Organiz- ations
Request for semi-residential school(s)	1	3	-	2	1	1	1	-	2	2	-
Request for day school(s)	2	-	3	10	-	7	1	-	4	2	-
Preference for day schools	5	-	2	2	-	1	1	-	4	11	5
Church influence and/or religious instruction removed from schools	5	-	-	1	-	3	2	-	2	2	3
Abolishment of denominational schooling	2	-	-	1	-	3	2	-	4	5	-
Church influence and/or religious instruction desired in schools	4	4	4	6	3	6	3	-	2	6	-

communities served, enabling the children to go home on weekends and holidays. Also, the distinction between a request and a preference for day schools has been made to point out that some Indian bands and organizations chose not to request day schools (mainly because they were not practical for outlying and nomadic bands) even though they stated a preference for them. For instance the Indian Association of Alberta affirmed that "educational needs...can best be served by the establishment of day schools...[but] residential schools should be continued on certain reserves."² Further, a distinction has been made between removing the church influence from Indian schools and abolishing the schools' denominational character because some bands cherished religion in schools but loathed the rivalry and the division that denominationalism had caused.

Clarification is also needed in regard to the constitution of the group titled Other Individuals and Organizations. This group includes six Indian organizations, such as The Women's Tillicum Club of Nanaimo Reserve, which embraced only one native community. It also includes one nonaligned Indian representative, O.M. Martin, Magistrate for the County of York. The remainder of the individuals and organizations in the group were non-Indian.

As indicated in Table 1 several British Columbia bands favored day schools. Indeed Indian bands throughout post-war Canada generally favored residential schools only when there was no alternative, as in the case of nomadic bands. Also, B.C. bands

were divided about whether the churches, mainly the Roman Catholic Church (claiming the devotion of 53% of Indians³), should be engaged in the education of native youth. The division, according to Kopas in "Political Action of the Indians of British Columbia," was clearly cut. The Protestant, coastal Indians of the Native Brotherhood of British Columbia did not like parochial schools, meaning Catholic residential schools, and of course the Catholic Indians of the interior did. As a consequence, perhaps, the Brotherhood was dismissed by the Catholic Indians as "nothing but a fisherman's union." Interestingly Kopas calls the Indians of the Brotherhood "progressive," the others "conservative."⁴

The Indians in Alberta, Saskatchewan, and Manitoba demonstrated a preference for semi-residential and day schools. In Manitoba alone ten bands requested day schools. Clearly the Prairie Indians, as well as Indians in other geographic regions, yearned for an end to the dislocation of their children and to the pervasive deracination that characterized much of residential schooling. The Indian Association of Alberta argued in its brief:

No child can develop as he should without the care and affection of family life. The restrictions, discipline, exclusive use of English, etc. in the Residential schools are now recognized as having a harmful effect on immature minds and bodies.

It is the belief of this Organization that this hiatus in family ties and parental training is at least partially the cause of post-school delinquency....Indian parents have an invaluable regard for the companionship of their children.⁵

As Table 1 also shows the Prairie and Territorial Indians

wanted to retain the missionary presence in their schools. In this respect Ontario bands were divided. Three Southern Ontario bands called for an end to denominational schooling. One of these bands, Brant County's Six Nations (see the brief submitted by the Hereditary Council), also called for the removal of church influence, as did two other southern bands. In contrast six northern and western bands endorsed church involvement. For instance the Serpent River Band argued that Indian schools ought to be denominational because "education is not worthy of the name of education if it does not extend to the moral training of the person to be educated."⁶ Nonetheless because the southern bands were generally considered more "advanced",⁷ one can conclude that, as in British Columbia, the less advanced or acculturated bands favored continual involvement on the part of the churches.

In addition to Indian bands, Indian organizations, government officers, and other individuals and organizations (including the United Church and Church of England delegations) also indicated a preference for schools (day and semi-residential) located in or close to the native communities. As said earlier the Committee made a recommendation in line with this preference at the conclusion of the 1946 session, that is, that a program be initiated for the construction or enlargement of Indian day schools.⁸

Indian organizations, like Indian bands, were divided in their views on the involvement of the church in native schools.

Typically, the Indians endorsing church involvement were boreal, less acculturated, Roman Catholic, readily influenced by missionaries, and deeply afraid of any change in the status quo that might jeopardize their special rights--including the introduction of Indian suffrage. These Indians believed that suffrage and other innovations would strip them of their constitutional protection and the advantages that follow from it.⁹ On the other hand the Indians opposed to the church influence were generally southern, Protestant, and highly acculturated. The progressive aspect in particular may explain why they clamored for educational opportunities and resources equal to those afforded white children, why the insufficient funding of and poor teaching in Indian schools were ascribed to partial church management, and therefore why the church was deemed an impediment to better native education. Nevertheless the Committee did not make any recommendation in this regard, probably because there was no consensus in the Indian and non-Indian representations. One can speculate that the Roman Catholic Church's great influence in Canadian society was also a factor.

Indian Schooling Standards

As indicated in Table 2 the preeminent concern of the groups making representations before the Committee was that the educational opportunities and resources granted to Indian children were not adequate or sufficient, particularly in the northern and

TABLE 2

INDIAN SCHOOLING STANDARDS

	B.C.	Alta.	Sask.	Man.	N.W.T.	Ont.	Que.	Mar.	Indian Organiz- ations	Govern- ment Officers	Other Individ- uals and Organiz- ations
New, extended, and/or improved educational oppor- tunities and/or resources	12	6	7	12	5	2	9	21	5		
New or improved vocational train- ing and/or resources	4	1	4	4	10	3	5	18	4		
Adult education opportunities and/or resources	-	-	-	-	1	-	3	9	2		
Better teachers	4	4	5	2	7	3	9	11	4		
Better teacher remuneration	4	4	5	-	7	-	8	11	3		
Increased funding	4	3	3	2	1	5	5	10	2		
Per capita grant on cost-plus basis	-	3	2	-	2	-	-	-	-		
Education study	-	-	1	-	-	-	2	2	1		
Provision of nurses and/or welfare workers	-	-	-	-	-	-	3	2	2		
More class time or abolishment of half-day labor in residential schools	4	1	2	1	-	-	4	2	1		
Schooling generally acceptable	7	7	7	2	4	5	1	4	-		
Schooling unacceptable	-	1	-	2	-	1	2	1	-		

remote areas of the country. As noted earlier 12,000 Indian children between the ages of six and sixteen were not in school, mainly because they did not have a school to go to. In fact this single, curt educational request--"We want a school"¹⁰--by the chief and councillors of the Seven Islands Band in Quebec typifies many representations.

The schools that did exist were notoriously underfunded, poorly equipped and constructed, and largely staffed by unqualified teachers--all of whom were paid less than their colleagues in neighboring public schools. The residential schools attracted great criticism because of the half-day labor system. This system obliged the children to work in the fields, sew, clean, etc. for several hours each day, thereby greatly restricting classroom time.

Many of the requests for new or improved vocational training and/or resources, such as the request for a training center on the reserve, underlined the problem of high school graduates turning to marginal work because they were not suitably equipped for the dominant culture's occupational structure. Similarly the requests for adult education opportunities and/or resources were made to help fit the adult Indian into modern society, as well as to facilitate the integration of native youth.

As is evident nurses were requested to alleviate the deplorable condition of health on many reserves, particularly by educating Indians about diet and hygiene, and welfare workers were

needed to ease the Indian's adjustment to white society. Also, the requests for per-capita grants on a cost-plus basis simply represent a scheme used by several Prairie and Territorial bands to gain additional funds for residential schools. Further, the solicitations for an educational study suggest that some individuals and organizations desired greater government interest in Indian education. Indeed many witnesses before the Committee affirmed that education was the key to a bright future for native people.

The final two categories in this section are particularly significant. In the main they show that Indian bands found the schooling afforded Indian children to be acceptable. Some of the bands, however, might have been less happy with the schools than wary of any radical change in their structure, financing, or composition. In conclusion all the groups called for improvements in schooling standards, though most Indian bands seemed generally satisfied with the education their children were receiving.

Indian Schooling Alternatives

As Table 3 indicates the idea of a curriculum designed specifically for Indians and the revolutionary concept of Indian control of native education were advocated by several Ontario bands and Indian organizations. They are particularly noteworthy in that they act as harbingers of present-day Indian demands and initiatives. As the Table also indicates a small number of Indian

TABLE 3

INDIAN SCHOOLING ALTERNATIVES

	B.C.	Alta.	Sask.	Man.	N.W.T.	Ont.	Que.	Mar.	Indian Organiz- ations	Govern- ment Officers	Other Individ- uals and Organiz- ations
Provinces respon- sible for Indian education	1	-	-	-	-	-	-	-	1	3	1
Indian children educated in association with other children in provincial schools	1	-	-	-	1	-	-	-	2	4	3
Attendance of Indian children at provincial schools when desired	-	1	-	-	2	-	-	-	4	7	-
Provincial curric- ulum, standards, and/or practices in native schools	-	1	-	-	4	-	1	-	4	3	1
Curriculum for Indians	-	-	1	-	3	1	-	-	4	7	-
Indian control of native education	-	-	-	-	6	-	1	-	4	1	-

bands and organizations favored the adoption of provincial curricula, standards, and/or practices for native schools. To some degree these requests do not constitute a schooling alternative because the Department of Indian Affairs had already adopted them in large measure. For instance the Department's Annual Report for 1918 states that "the course of studies prescribed for the provincial public and separate schools is strictly followed" in Indian schools. This report also states that arrangements had been made with several provincial departments of education "to have Indian schools inspected semi-annually by the provincial public and separate school inspectors."¹¹

One band (the Songhees of Victoria), one Indian organization (Southwestern Indians of Ontario), three non-native organizations, and Diamond Jenness (Dominion Anthropologist) wanted provincial governments to assume direction of Indian schools. They probably felt that native education had to be removed from federal hands and assigned to provincial administrations before it could become as good as non-native, public education. Importantly these people, with the exception of Jenness and one non-native organization (the Vancouver Branch of the Canadian Civil Liberties Union), did not also want Indian children schooled in association with other children in public schools. The Southwestern Indians of Ontario, for example, yearned for an "educational standard...equal to that of the other citizens of southwestern Ontario," but they did not question the

practice of separate schooling.¹²

The request for integrated schooling is located in only 11 of the 150 representations in the Minutes containing reference to education. The 11 representations were submitted by two Indian bands, two Indian organizations, three government officers, three non-native organizations, and one non-native. As the Minutes indicate, some of these groups believed that for Indian children to receive the same educational opportunities as non-Indian children, they had to be placed in the same classrooms. Jenness considered integrated schooling the sine qua non of his plan for Indian assimilation.¹³ Nevertheless, the principal education recommendation in the Committee's final report was fashioned from the request for integrated schooling. The recommendation was "that wherever and whenever possible Indian children should be educated in association with other children."¹⁴

In total the Committee made only three education recommendations. Two of these recommendations (to construct or enlarge Indian day schools and to revise the education clauses in the Indian Act) were in accordance with Indian opinion; the third and principal recommendation, however, was not. In the first section (School Structure) of this chapter it is shown that there was a wide endorsement of church involvement in native schools. In the second section (Schooling Standards) it is shown that there was general satisfaction with the schooling afforded Indian children. And in this section (Schooling Alternatives) there was

not only support for segregated schooling but also scant support for any schooling alternative. Therefore one can readily conclude that Canadian Indians in the late forties generally did not want integrated schooling. One can also conclude that Daniels' and Hawthorn's position that the Committee's recommendation for integrated schooling was in accord with the dominant view of Indians is not supported by fact.

As a final note political partisanship should not be related to the fact Indian opinion was disregarded in the drafting of the principal education recommendation. As noted previously former Committee member Case told the House in 1951 that the Committee's in camera deliberations on the Indian Act were distinguished by agreement in opinion. In addition no Committee member spoke against integrated schooling during the Proceedings. Denominational bias, on the other hand, may have influenced the drafters of the recommendation. Although ten of the thirty-four members were Roman Catholic, only one (H.E. Brunelle) of the eight education subcommittee members from the two legislative chambers was a member of that faith, and as expected the Catholic Church did not favor integrated schooling. Indeed the Church's representatives entreated the Committee to sanction its broad sectarian role and the residential experience in Indian education. The United Church representatives, however, supported integrated schooling, the only church delegation to do so. Interestingly the chair of the subcommittee (Matthews) and three other members (I.C.

Fallis, W.H. Taylor, and J.A. Charlton) belonged to that church.¹⁵

While admitting the possible factor of church partisanship, the fact Indian opinion was disregarded in the drafting of the principal education recommendation can be more readily explained. In their final report to the Senate and the House of Commons the members of the Committee, having confidence in their own judgment and in that of key Indian affairs personnel and a few Indians, set forward as advisable an educational measure that was logically consistent with their firm belief that the Indian must assimilate and take his place as a Canadian citizen to the full degree.¹⁶ As Reid mused before the House three years after the Committee was disbanded, "this [integrated schooling] strikes me as an important step towards making the Indians into, shall I say, true Canadians."¹⁷

Committee members also had confidence in Jenness, the anthropologist. His representation, entitled "Plan for Liquidating Canada's Indian Problem Within 25 Years," was particularly well received. Indeed one Committee member remarked that he delivered one of the "finest talks" of the Proceedings to that date.¹⁸ As University of Toronto Professor G. Gordon Brown had done a few days before,¹⁹ Jenness used the Maori as an example of how integrated schooling had delivered the native from his unhappy predicament and had placed him on an equal footing with the non-native:

I mentioned at the beginning that I was brought up in New Zealand. Maori boys attended the same

schools as I did. They went to the same high school. They went to the same university. Their fathers may have been cannibals; their grandfathers certainly were. There were four Maori members of parliament, one of them a cabinet minister. A little later the acting prime minister of New Zealand for nine months was a Maori....There has never been in New Zealand any sharp segregation of the Maori, although there was, and still is, a district in which they predominate. Consequently there is no Maori problem because they are citizens on an equal footing with whites.²⁰

No matter what the situation in New Zealand, if one recognizes the Committee's strong desire to afford Indians the same rights and responsibilities as non-Indians and make them ipso facto "true Canadians," then one can understand why the Maori example of integrated schooling was advanced, even though the measure was not in accord with Indian opinion. What is difficult to understand is since the Committee hoped the Indian in the coming time would be assimilated and acculturated, why Indian segregation in all other respects (e.g. the reserve system) was not censured, as in the Federal Government's White Paper in 1969. The probable answer is that few Indians would accept the New Zealand model for dealing with aboriginal citizenship, as evidenced by almost all the positions advanced by Indians to the Committee. For example the Big Trout Lake Band (Ontario) stated in its brief: "We are most anxious to continue in the present status of Treaty Indians, i.e. wards of the Government under the direct supervision of your appointed Indian agent."²¹

In the latter part of the following chapter the finding

that Indian opinion was not reflected in the principal education recommendation is interpreted in another way. This interpretation ignores the logic of the Committee's disregard for Indian opinion; instead it embraces the idea that historically the (white) formulators of Canadian Indian policy, including the Committee constituency, regarded Indians and their views as inferior. Their prejudice is related to the social climate of their times.

CHAPTER III NOTES

¹ See Canada, Department of Citizenship and Immigration, Census of Indians in Canada 1949 (Ottawa: Queen's Printer, 1952).

² Minutes, 1947, pp. 579-80.

³ Census of Indians in Canada 1949, p. 84.

⁴ Kopas, "Political Action of Indians," pp. 102, 119.

⁵ Minutes, 1947, p. 579.

⁶ Ibid., p. 1344.

⁷ For instance frequent reference is made in the Minutes to the Six Nations' (Brant County) standing as Canada's most advanced band and to the backwardness of northern bands. This view is also found in Jenness' The Indians of Canada, pp. 118-48.

⁸ Minutes, 1946, p. 758.

⁹ Kopas, "Political Action of Indians," p. 122.

¹⁰ Minutes, 1946, p. 856.

¹¹ Canada, Department of Indian Affairs, Annual Report, 1918, p. 23.

¹² Minutes, 1947, p. 1320.

¹³ Ibid., p. 310.

¹⁴ Ibid., 1948, p. 188.

¹⁵ See The Canadian Parliamentary Guide 1948.

¹⁶ Recommendation "h" in the committee's final report of the 1948 session, for example, advises "that it be the duty and responsibility of all officials dealing with Indians to assist them to attain the full rights and to assume the responsibilities of Canadian citizenship." See Minutes, 1948, p. 187.

¹⁷ House of Commons Debates, 1951, 1st Session, p. 459.

¹⁸ Minutes, 1947, pp. 314.

¹⁹ Ibid., p. 23.

20 Ibid., pp. 308-9.

21 Ibid., pp. 308-15, 1426.

CHAPTER IV

THE 1951 INDIAN ACT AND INTEGRATED SCHOOLING

In its final report of the 1948 session to the Senate and the House of Commons the Committee describes the Indian Act as replete with "many anachronisms, anomalies, contradictions and divergencies...." Subsequently the Committee "deem[ed] it advisable that, with few exceptions, all sections of the Act be either repealed or amended."¹ It also advised that its recommendations be sent to the Department of Justice to "remove the kinks in the wording, and things of that kind, during the parliamentary recess."² It further advised that the Special Joint Committee be reconstituted in 1949, and that the recommendations be returned to the Committee in the form of a draft bill for final study and amendment prior to being introduced to the House.³

On the 3rd of February, 1949, Castleden stood up in the House and asked J.A. MacKinnon (Liberal, Edmonton West), Minister of Mines and Resources: "Is the draft bill to amend the Indian Act to be presented to the special joint committee on Indian affairs, as was recommended by that committee last year?" The minister replied that the bill was before the Department of Justice and would be considered in due course, but that the Committee might not be reconvened.⁴

Several weeks later Conservative member Case angrily told the House:

If the rumours are true that the Committee will not be set up...then I say to you, Mr. Speaker, and through you to the hon. members...that it will be nothing short of a public scandal.

Moments later another former Committee member, D.S. Harkness (Conservative, Calgary East), supported Case and castigated the Liberals for the Department of Justice's failure to produce a draft bill in the seven-month long parliamentary recess.⁶ But such criticisms were of no avail. The government did not even introduce the draft bill or reconstitute the Committee in the following parliamentary session.

Further objections to the government's dilatoriness drew Prime Minister Louis St. Laurent (Liberal, Quebec East) into the debate on December 2, 1949:

This is a matter that has given my colleague the Minister of Mines and Resources much concern. I know he has been pressing the preparation of that legislation, but...we were told that the Department of Justice would not have it ready for introduction at this session....

Harkness's curt response to the Prime Minister's remarks is worth noting: "Really, that is complete nonsense."⁸

Finally, in the Speech from the Throne on the 16th of February, 1950, the Governor General announced: "You will be asked to consider a bill for the revision of the Indian Act."⁹ But the first reading of the Indian Act Amendment Bill (Bill No. 267) did not take place until June 7. Ironically opposition members began to argue after the first reading that the bill should not be passed that session, for there was not enough time

to consider it fully. They also argued that the bill was not satisfactory. For instance E.D. Fulton (Conservative, Kamloops) said:

Mr. Speaker, the bill now before the house is entitled an act respecting Indians. I feel that in that title we find the only respect that the government seems to be paying the Indians, because the bill itself does far less than justice to...the first inhabitants of Canada....¹⁰

Erstwhile Committee member J.H. Blackmore (Social Credit, Lethbridge) voiced even stronger criticism:

I would say that the act is an entirely negative one. It is apparently designed to govern an inferior and subordinate people and to keep them inferior and subordinate.

Many Indian leaders also criticized the bill and urged Citizenship and Immigration Minister W.E. Harris (Liberal, Grey Bruce) to defer its passage. On the 21st of June, 1950, the Montreal Gazette published this story:

Sixty Indian Delegates Ask Act's Deferment

Ottawa, June 20--Sixty delegates of the North American Indian Brotherhood--some in tribal costume--met Citizenship Minister Harris in the parliament buildings tonight to seek deferment of the new Indian Act.

They placed before the minister a petition asking parliament not to enact the Indian bill "in view of the fact that many of the clauses are too detrimental¹² to the best interests of the Indians....

Newspaper editors were also engaged in the fray. For instance an editorial titled "Government hypocrisy" in the North Shore Review (Montreal) of June 6 states: "If federal government plans to rush through its inept revision of the Indian Act are not checked,

Prime Minister Louis St. Laurent will go down in history as an inglorious traitor to our native citizens."¹³ Eventually Harris yielded to the deluge of criticism, announcing to the House at one point: "In view of all that...has been suggested...we might not proceed with the bill at this session."¹⁴ During the parliamentary recess the government drafted a new bill, Bill No. 79.

In the early part of the first parliamentary session of 1951 many Indian leaders travelled to Ottawa to discuss Bill 79. Harris conferred with them from February 28 to March 3 and later reported to the House that they disagreed with some sections of the bill, but he did not allude to the nature or the ardency of the disagreement. To present an example of this ardency, on the eve of the meeting with Harris the chiefs and councillors of the Caughnawaga, St. Regis, and Oka reserves declared: "If this bill will be passed in its present form, the New Indian Act will be the most bureaucratic and dictatorial legislation ever imposed on mankind."¹⁵

In a propitious sign to the Indian leaders the bill was not passed in the form it was in at the time. For one the revised version of Bill 79 does not describe a person "as an individual other than an Indian." In addition it granted Indians greater exemptions on property taxation and the privilege to drink alcohol "in a public place in accordance with the laws of the province."¹⁶

Several weeks after the conference the revised bill

received first reading.¹⁷ On the 2nd of April the Lethbridge Herald reported that "Bill 79, the new federal government bill dealing with Indian affairs, meets the wishes of the Indians by about 75 per cent."¹⁸ Also on April 2 Harris moved "that a special committee be appointed to consider Bill No. 79...with power to send for persons, papers and records...." The motion was agreed to and he then moved "that Bill No. 79...be referred to the special committee appointed to consider the bill," which was also agreed to.¹⁹ Four days later the members of the committee were chosen from the House. (Only one-third of them had sat on the Special Joint Committee.²⁰)

After only a few meetings the special committee indicated it would not send for Indians or anyone else to expedite its consideration of the bill. This indication was objected to by the opposition in both the Senate and the House. In the House, for example, John Diefenbaker (Conservative, Lake Centre) argued that if "the review is...restricted to the members of the Indian department, such a review is worthless from the point of view of protecting the rights of the Indians in this country."²¹

The Committee finished its deliberations in early May. Thereafter several sittings in the House were expended by rousing debate on many aspects of the bill, but not the education clauses. These clauses, reflecting in large measure the Committee's education recommendations, must have appeared suitable to all members upon perusal. On the 17th of May Bill 79 was read for the

third time and passed.²² In the Senate only former prime minister R.B. Bennett (Conservative, Calgary West) spoke against the bill before it was passed, stating: "I would have liked better a bill to entirely emancipate the Indian and put him in a position to engage freely in enterprise."²³ The only subsequent reference to the bill in Hansard for the 1951 parliamentary sessions was a motion in the House to accept three amendments to the bill asked by the Senate. As the amendments were strictly grammatical in nature, the motion was quickly accepted.²⁴

1951 Indian Act

The new Indian Act²⁵ incorporated most of the Special Joint Committee's recommendations, and at first glance it appeared to be unlike all the previous (consolidated) Indian Acts. The Act had sixty-seven fewer sections than the 1927 Act, primarily because many sections in the earlier Act were extremely directive, such as the restrictions on individuals and bands,²⁶ and because the later Act was relatively laconic, except in defining Indians and their registration.²⁷ But a closer look at the 1951 Indian Act and a comparison with the Indian Act of 1876 proves the former was not unlike all previous Indian legislation. In format, content (but not expression), and intent the 1951 and 1876 Acts were remarkably similar. Both provided for a cooperative approach between government and Indian toward the goal of assimilation, though enfranchisement was made easier in 1951 by the elimination

of the probationary period that immediately followed the issuance of the location ticket, by fewer prerequisites for the franchise, and by compulsory enfranchisement in some cases.²⁸ Both Acts also harbored the idea that civilization and assimilation should be encouraged and expedited, but not suddenly imposed on the unadvanced and unprepared Indian. For instance the compulsory enfranchisement proviso in the 1951 Act required that a candidate for the franchise be "capable of assuming the duties and responsibilities of citizenship, and when enfranchised...be capable of supporting himself and his dependants."²⁹ Notwithstanding, the drafters of the 1951 Indian Act introduced some innovations, and in the following description of the Act's references to education one of these innovations is considered at length.

The sections pertaining to education in the new Act embraced the following general areas: (a) establishment, operation, and maintenance of native schools both on and off reserves; (b) attendance, truancy, and penalties for truancy; and (c) separate schools and the religious denomination of teachers. These sections indicated two major changes in Indian education. First, band councils were no longer empowered to frame rules and regulations with respect to "the attendance at school of children between the ages of six and fifteen years."³⁰ Second, and more importantly, the Act gave the Governor in Council the power to authorize the Minister of Citizenship and Immigration "to enter

into agreements on behalf of His Majesty for the education in accordance with this Act of Indian children, with

- (i) the government of a province,
- (ii) the council of the Northwest Territories,
- (iii) the council of the Yukon Territory,
- (iv) a public or separate school board, and
- (v) a religious or charitable organization.³¹

Daniels calls the increase in the number of agencies able to provide educational services for native children "the most significant section of the new Act and, in the eyes of a number of observers, returned the involvement in Indian education to the constitutional position it had been in prior to Confederation."³² The direction was toward a single system of education in each province and toward equality of educational opportunity. Ultimately the Indian pupil would be on an equal footing with his non-Indian counterpart, or at least that was the intent.

It should be noted that the ostensible purpose of this new policy direction was not to make Indians a provincial responsibility. The federal government intended to meet its obligations to Indians as inscribed in the Indian treaties, the B.N.A. Act, and the Indian Act; it would continue to pay the bills for the education of native youth. As the number of Indian students enrolled in public schools became greater and as more reserve schools became operated by provincial bodies, the two systems of federal and provincial education would merge into one.³³

The 1951 Indian Act hastened the implementation of a vast

program of school integration of Indian children. Increasing numbers of Indian children attended the same schools as non-Indian children in the 1950s and 1960s. Although fewer than 100 Indian children attended integrated schools in 1945, the number rose to 10,822 in 1960 and 29,355 in 1965. By 1966 over fifty per cent of Indian children from grades one to twelve attended integrated (provincial) schools (see Table 4).³⁴

The 1962 Annual Report for the Indian Affairs Branch of the Department of Citizenship and Immigration indicated that integrated education was usually accommodated through formal agreements between the Branch and local school boards for the operation of "joint schools." These agreements were made when a school board had to expand its facilities to absorb Indian children. The Branch paid the tuition of every Indian child in addition to its share of construction costs.³⁵

Although provincial education authorities and the general public in the fifties and sixties as well as the 1959-61 Joint Committee on Indian Affairs supported the new departure of integrated schooling,³⁶ many Indians did not. In 1967 Hawthorn reported:

The Branch...received from Indians some protests against its school integration program. Some oppose integration for religious reasons, others through fear of losing their ethnic identity. One Indian group claimed that the school integration program was completely unsatisfactory and was simply broadening the gap between Indians and non-Indians. Another group advised the government to move more slowly with its integration policy. Still others see this policy as a manoeuvre on the

TABLE 4

ENROLMENT OF INDIAN CHILDREN IN INTEGRATED SCHOOLS, 1950-67

Year	Enrolment of Indian children in all schools	Enrolment of Indian children in integrated schools	Percentage of Indian pupils in integrated schools
1950	26,903	2,032	8%
1951	27,955	2,365	8%
1952	28,763	2,850	10%
1953	31,555	3,381	11%
1954	32,525	4,077	13%
1955	35,137	5,566	16%
1956	37,305	6,272	17%
1957	38,683	7,330	19%
1958	38,836	8,186	21%
1959	40,637	9,479	23%
1960	43,115	10,822	25%
1961	46,596	14,241	31%
1962	50,549	18,549	37%
1963	55,475	22,764	41%
1964	57,265	25,207	44%
1965	61,395	29,355	48%
*1966	64,439	32,941	51%
*1967	66,217	34,635	52%

*In these years only enrolments in grades one to twelve were considered. See Annual Reports of Indian Affairs for years noted.

part of the federal government to abandon³⁷ its responsibilities...to the Indian communities.

It is apparent that the Indian opposition to integrated schooling explicit in the representations to the Committee persisted for some time.

As a final note the exclusion of Indian opinion in the Special Joint Committee's principal education recommendation in 1948 and in the pertinent education clause (section 113) of the 1951 Indian act was replicated in the 1969 White Paper titled Statement of the Government of Canada on Indian Policy. The White Paper, which proposed a global termination of the special rights for Indians,³⁸ did not represent the Indian viewpoint. According to Weaver,

An unmistakable consensus on certain priorities emerged among Indians....Indians wanted their special rights honoured and their historic grievances, particularly over lands and treaties, recognized and dealt with in an equitable fashion. Equally important, they wanted direct and meaningful participation in³⁹ the making of policies that affected their future.

As noted earlier the termination of the special rights for Indians, which the White Paper scheduled for immediate implementation, was the implicit policy theme for the administration of Canadian Indians from the 1830s to the early 1970s. Obviously the Committee's recommendation for integrated education was but another expression of this theme.

In the remainder of this chapter an interpretation of the primary finding, the implications of the study, and suggestions

for further research are presented.

Primary Finding in Interpretative Framework

This section comprises an interpretation of Indian and government relations in Canada since the 1600s. The interpretation is related to the primary finding of this Study, that Indian opinion was not reflected in the Committee's principal education recommendation.

The French settled North America to exploit the land and fur-bearing animals, and at first they were dependent on the Indians. Through time the relationship changed to an interdependent one. French trappers and traders worked with the Indians, often intermarrying. But the relationship was not symbiotic. The ascendancy of the French (and British) merchant class through the fur trade diminished the domain of the original inhabitants, for the Indians became low-ranking employees in the early fur-trading companies (e.g. the Northwest Company and the Hudson's Bay Company) and slowly lost not only their independence but also their traditional culture and social organization.⁴⁰ Significantly the French did not treat the Indians as inherently inferior. They tried to make them French. The policy ("Frenchification") was assimilation, not extinction.⁴¹

To the British until the early 1800s the only purposes Indians served were as military auxiliaries and purveyors of fur, and when American adventurism and the fur trade dwindled, Indians

were ignored or exploited. Eventually Indians were removed from their lands and settled on reserves to facilitate westward expansion. Meantime, however, a more humanitarian policy was germinating. According to Stanley, during the early and mid-nineteenth century the citizens of Great Britain and her colonies were attracted by the "Humanitarian" movement. This movement involved a revival of religion, as evidenced by the growth of Methodism, Evangelicalism, the Clapham Sect, and the Puseyites. In Canada the movement was reflected in the transfer of responsibility for Indian affairs from the military to the civil authorities in 1830 and in the United Province of Canada's pledge in 1846 to educate Indian children (in separate schools). In later years it was also reflected in pronouncements by civil authorities that the Indian would be saved from "ethnic extinction" and equipped for survival in the white man's world. In Stanley's view the motivation underlying these acts was "honest and well-intentioned" and the means was "cultural assimilation."⁴²

One can also describe the motivation of the members of the Special Joint Committee as honest and well-intentioned and their means as strategy was also cultural assimilation. In regard to the principal education recommendation the Committee proposed a measure that was logically consistent with their conviction that the Indian must assimilate and take his place as a Canadian citizen to the fullest possible extent. In the thought of the Committee, as a "true" Canadian citizen the Indian would no longer

be discriminated against. Nonetheless, in one other respect the views of the nineteenth-century civil authority and the Committee were alike. Because of long-standing and deep-seated prejudice both were imbued with a sense of white superiority. This notion is explained by the following exposition.

Through the vigorous proselytizing efforts of various churches the greater number of Canada's native people became Christian. As Christians, according to Frideres, Indians were in the realm of Christian ethics and could not be ignored or exploited. Therefore to justify the "solidly entrenched prejudice and discrimination" in Canadian society, an ideology of inherent white superiority and dominance was introduced around the middle of the nineteenth century. This ideology, known as Social Darwinism, ascribes white exploitation and expansionism to the laws of nature, particularly the laws of natural selection and survival of the fittest.⁴³ As Willhelm has argued:

In the thoughts of the light-skinned people of early America, no White man ever commands because he "chooses" to do so; it is not by his choice, but by the will of God or the act of Nature that he rises to the fore at the expense of inferior races. To rule is really to submit, in the first instance, as an obedient believer of God's command and, in the second instance, as a helpless pawn abiding⁴⁴ by Nature's laws governing the races of men.

As Stanley points out, from ancient times the races that were "self-consciously 'civilized'" considered their less fortunate neighbors as morally and intellectually inferior:

The Greeks called the Egyptians "barbarians"

because they had not the good fortune to be born Greeks. The Romans called the Goths "barbarians." The Normans referred to the Irish as "wild men," the "savage Irish, our enemies." The English applied the same term "savages" to the Scottish highlanders even as late as the seventeenth and eighteenth centuries.⁴⁵

In accordance, because of the white man's comparatively advanced state of material wealth and social refinement in the late 1940s, Committee members in the main considered Indians inferior in many respects, as evidenced by this remark by N.M. Paterson (Liberal, Thunder Bay) during the 1947 Proceedings:

The department has done much to improve the lot of the Indians but teaching them hygiene is an uphill task. Lumber has been furnished for outside toilets but few Indians bother to build them; one community had one toilet for twenty houses. They are still children and need direction....While much is yet to be done, mostly in education, it will take time but the Indian by sympathetic handling will be an increasingly useful citizen. In most cases he is by no means capable of handling his affairs at present.⁴⁶

In fact the prejudice of Committee members was evident on numerous occasions. Only three days before Paterson's comment, J.L. Gibson described Indians this way: "They are not nearly as stupid as one might presume. I always found that the Indians were pretty well able to take care of themselves."⁴⁷ About the same time D.S. Harkness pronounced that "the Stonys [sic] are quite a good type of Indian,"⁴⁸ which suggests that others were not.

B.F. Skinner, the celebrated American psychologist, has argued that people are controlled and shaped by the environment into which they are born and in which they are nurtured and

educated,⁴⁹ and it is widely documented that Canadian society in the late forties was impregnated with a sense of white superiority. As Abella and Troper point out it was only a few years earlier (1938-45) that Canada turned a deaf ear to the humanitarian pleas that large numbers of Jewish refugees from Hitler's terror be granted a haven in the country.⁵⁰ It was also only a few years earlier (1942) that a policy of forceful evacuation of Japanese Canadians from coastal areas had been initiated, ultimately leading to their internment and the confiscation of their property.⁵¹ In addition, while the Chinese Immigration Act (which denied entry to all Chinese except clergymen, students, certain merchants, and consular officials) was repealed in 1947, the only Chinese permitted to enter Canada until 1952 were those who could count Canadian citizens among family members. Moreover, all racial qualifications in the Immigration Act were not removed until 1962. Finally, with the exception of Newfoundland and British Columbia Indians and Indian war veterans, adult reserve Indians were not empowered to vote in federal elections until 1960.⁵²

In conclusion the fact that the opinion of white Committee members and white Indian experts and not Indian opinion was reflected in the principal education recommendation surely intimates a notion of white superiority in the minds of the majority of the Committee. Yet these members were proud and distinguished men, committed to improving the lot of Canada's

first people, and, as one may argue, should not be censured for the social climate of their times. In addition one expressed hatred or intolerance for Indians at any time. But, in spite of the above, these members were racist, because they held that the distinctive attributes of the white race in Western society were superior to those of the Canadian Indian.

Central Implications of the Study

To reiterate, the primary finding of this Study is that the dominant education view expressed by Canadian Indians in the late forties is not reflected in the Committee's principal education recommendation. Subsequent events indicate that the Indian communities learned the following from the experience. First, Indian representatives should press for Indian representation on future inquiries into their administration and affairs. No Indian group did this. Second, Indian representatives should be better organized in whiteman's terms. In particular they should form lobby groups to press for greater consultation and continued reform in the interval of time separating committees or commissions on Indian matters. These lobby groups would also provide additional opportunities for intercultural communication and understanding. Third, they should be as unified in opinion as possible, presenting a common, advantageous ground in future consultations with government agents. Internal disagreement, particularly evident in post-war

British Columbia, divided the Indian community and weakened its influence. Fourth, Indian leaders in greater number should be politically acute and competitive in order to further their interests in the "policy-making arena." As Weaver notes, "the policy-making arena is a political one, where personnel and ideas compete for attention and ultimate defence...."⁵³ Fifth, Indian leaders should articulate their visions of the future of Indian people and insist that government policy conform to them. Oddly Indian representatives did not question the Committee's explicit goal of assimilation even though many Indian bands and organizations advocated independence and self-government in some measure. In fact the brief signed by the Elective Council and Hereditary Chiefs of the Mohawk Band of Caughnawaga, Quebec, affirmed: "There can only be one government for us, 'The Six Nations Government.'"⁵⁴ Sixth, Indians in general should labor to raise their social stature and erase the regrettable bias against them. Yet Indians, as Frideres and Carstens point out, cannot improve their social standing within the framework of the status quo. Both advance the idea that the Indian reserve is an internal colony exploited by dominant white groups.⁵⁵

LaViolette points out that some British Columbia Indians had been organized, well versed in Canadian law and political procedure, and agitating since the late nineteenth century. On occasion they were consulted, but invariably they were ignored.⁵⁶ This pattern was replicated during the life of the Committee with

respect to the matter of integrated schooling. For this reason it is argued in a general note that contemporary Indian leaders should have pressed for Indian representation on the Committee, should have been better organized, should have been more unified in opinion, should have been more politically acute and competitive as a whole, should have articulated their visions of the future of Indian people, and should have labored to improve their social standing as much as possible. It is also argued that Indians had to achieve political equality: they needed the vote!

It is hoped that Indian leaders today study and learn from the past. Of course it is also hoped that government mandarins do the same. For over half a century the administrators of Indian Affairs obstructed Indian political action, as section 141 of the 1927 Indian Act proves:

Every person who, without the consent of the Superintendent General...obtains, solicits, or requests from any Indian any payment or contribution or promise of any payment or contribution for the purpose of raising a fund or providing money for the prosecution⁵⁷ of any claim...shall be guilty of an offence....

Canada could not afford to ignore or subvert the wishes of her first citizens. It still cannot. The country must move forward.

Suggestions for Further Research

As noted earlier Indian policy from Confederation to the early 1970s was predicated on the objects of protection, civilization, and assimilation. During this century the emphasis

was assimilation as evidenced by the compulsory enfranchisement legislation and the move for integrated schooling. Since the early 1970s, however, Indians have pressed for self determination and native identity. Yet few Indians have enunciated how distinct they hope to be and what kind of society they hope to live in. Plainly they want to be on an equal footing with the on-Indian, but is it the same footing? The point is that there is a need for greater critical reflection and action. One suggestion is that native and non-native researchers give intellectual light to the aspirations and goals embraced by contemporary Indian society. Ideally Indian policy in all respects will one day correspond to today's visions of the Indian people in tomorrow's world.

Another suggestion, put forth by Weaver, is that future research on Indians be practicable and explicitly germane to policy matters. And for the findings to be entered into policy-making consultations, the research should be carried out in a short time-frame.⁵⁸

A further suggestion is that a volume on the history of Indian education be constructed. The only comprehensive and recent work in this area, J. Chalmers' Education Behind the Buckskin Curtain: A History of Native Education in Canada (1972), is poorly referenced, too general, and flippant in prose.⁵⁹ The ideal volume would be more thorough and scholarly.

CHAPTER IV NOTES

- 1 Minutes, 1948, p. 186.
- 2 House of Commons Debates, 1948, 1st Session, p. 984.
- 3 Minutes, 1948, p. 186.
- 4 House of Commons Debates, 1949, 1st Session, p. 184.
- 5 Ibid., p. 970.
- 6 Ibid.
- 7 Ibid., 2nd Session, p. 2599.
- 8 Ibid., p. 3055.
- 9 House of Commons Debates, 1950, 1st Session, p. 2.
- 10 Ibid., p. 3979.
- 11 Ibid.
- 12 Ibid., p. 3941.
- 13 Ibid., p. 3967.
- 14 Ibid., p. 3984.
- 15 House of Commons Debates, 1951, 1st Session, pp. 1351,
721.
- 16 15 Geo. VI., c. 29, s. 86, ss. 1; s. 95, ss. 1.
- 17 Ibid., p. 759.
- 18 Ibid., p. 1527.
- 19 Ibid., p. 1537.
- 20 Ibid., p. 1718.
- 21 Ibid., p. 3043.
- 22 Ibid., p. 3106.
- 23 Senate Debates, 1951, 1st Session, pp. 509-10.

- 24 House of Commons Debates, 1951, 1st Session, p. 3795.
- 25 15 Geo. VI., c. 29.
- 26 See in particular sections 115 to 142 under "Offences and Penalties" (17 Geo. V., c. 98).
- 27 15 Geo. VI., c. 29, s. 5-17.
- 28 Ibid., s. 108-112.
- 29 Ibid., s. 108, ss. 1.
- 30 See 17 Geo. V., c. 98, s. 101, ss. f; and 15 George VI., c. 29, s. 80, ss. h.
- 31 15 Geo. VI., c. 29, s. 113, ss. b.
- 32 Daniels, "Legal Context of Indian Education," p. 107.
- 33 Ibid.
- 34 Hawthorn, Survey of Contemporary Indians, vol. 2, p. 31. Also see Annual Reports for Department of Citizenship and Immigration (1951-65) and Department of Indian Affairs and Northern Development (1966-68).
- 35 Department of Citizenship and Immigration, Annual Report, 1962, p. 27.
- 36 Strong non-Indian advocacy of the policy is found in the representations before both the 1946-48 and the 1959-61 Joint Committees on Indian affairs. See Hawthorn, Survey of Contemporary Indians, vol. 1, p. 209. See also the education recommendation in the final report of the 1959-61 Joint Committee of the Senate and the House of Commons on Indian Affairs, 1961 vol., p. 616.
- 37 Hawthorn, Survey of Contemporary Indians, vol. 2, p. 36.
- 38 See Department of Indian Affairs and Northern Development. Statement of the Government of Canada on Indian Policy. Ottawa: Queen's Printer, 1969.
- 39 Weaver, Making Canadian Indian Policy, p. 5.

- 40 J. Richard Ossenburg, "Approaches to Power and Change: A Selected Overview and Interpretation" in Power and Change, ed. J. Richard Ossenburg (Toronto: McClelland and Stewart, 1980), p. 19.
- 41 Frideres, Native People, p. 15.
- 42 George F. Stanley, "Introductory Essay" in As Long as Sun Shines, ed. Getty and Lussier, p. 13.
- 43 Frideres, Native People, p. 303.
- 44 Sidney M. Willhelm, "Red Man, Black Man, and White America: The Constitutional Approach to Genocide," Catalyst 4 (spring 1969):3-4.
- 45 Stanley, "Introductory Essay," p. 2.
- 46 Minutes, 1947, p. 88.
- 47 *Ibid.*, p. 40.
- 48 *Ibid.*, p. 118.
- 49 For example see B.F. Skinner's Walden Two (London: The MacMillan Company, 1948).
- 50 Irving Abella and Harold Troper, None Is Too Many (Toronto: Lester & Orpen Dennys Limited, 1982), pp. ix-xi.
- 51 Daniel G. Hill, Human Rights in Canada: A Focus on Racism. Ottawa: Canadian Labour Congress, 1977.
- 52 Joseph F. Krauter and Morris Davis, Minority Canadians: Ethnic Groups (Toronto: Methuen Publications, 1978), pp. 4-5, 16.
- 53 Sally M. Weaver, "The Role of Social Science in Formulating Canadian Indian Policy: A Preliminary History of the Hawthorn-Tremblay Report," THRC (1976), p. 6.
- 54 Minutes, 1947, p. 1708.
- 55 Frideres, Native People, pp. 295, 320; Peter Carstens, "Coercion and Change," in Canadian Society, ed. Richard J. Ossenburg (Scarborough, Ontario: Prentice-Hall of Canada Ltd., 1971), p. 129.
- 56 Forrest E. LaViolette, The Struggle for Survival (Toronto: University of Toronto Press, 1973), pp. 150-87.

- 57 17 Geo. V., c. 98, s. 141.
- 58 Weaver, "Role of Social Science," p. 9.
- 59 See J.W. Chalmers, Education Behind the Buckskin
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APPENDIX A

Numerical Listing of the 150 Representations in the Minutes that Contain References to Education

British Columbia Bands (Band Population in 1949)

1. Songhees of Victoria (91)
2. Lower Kootenay Reserve (first brief) (82)
3. Cowichan Reserve (775)
4. Stuart Lake Agency (1,821)
5. Katsey Reserve
6. Ohamil Reserve (36)
7. Siccameen Band (sic)
8. Coldwater Reserve (163)
9. Shulus Reserve
10. Kuleetz Reserve
11. St. Mary's Reserve (182)
12. Kootenay Reserve
13. Lower Kootenay Reserve (second brief) (82)
14. Saanich Tribes (446)
15. Indians at Hartley Bay (192)
16. Lower Post Reserve
17. Sea Bird Island Band (206)
18. Douglas Lake Indians
19. Stony Creek Reserve (220)

Alberta Bands

20. Blood Band (1,899)
21. Fort Vermilion Band (146)
22. Boyer River Band (103)
23. Hay Lakes Band
24. Piegan Reserve (666)
25. Cold Lake Reserve
26. Stoney Indians (840)
27. Wabasca Band (806)
28. Treaty Indians of Fort Chipewyan (161)

Saskatchewan Bands

29. Battleford Agency (1,688)
30. Reserves at Canoe lake, English River, Peter Pond, and La Loche (718)
31. Sioux Indians of Canada (270)
32. Moose Wood Band (81)
33. Maurice Band (540)
34. Keeseekoosie Reserve (295)
35. James Smith's Reserve (475)
36. Day Star and Poorman Bands (415)

37. Duck Lake Agency (2,687)

Manitoba Bands

38. The Pas Band (551)
39. Waywayseecappo Band (351)
40. Fisher River Reserve (696)
41. Manitowapah Agency
42. Poplar River Reserve (178)
43. Nelson House Band (711)
44. Bands in Churchhill River Area
45. Little Grande Rapid Indians (413)
46. Pakitawagan Reserve
47. Keeseekoowenin Reserve (152)
48. Moose Lake Indians (115)
49. Pine Creek Reserve (318)
50. Brokenhead Reserve (227)
51. Shoal Lake Indians (398)
52. Long Plains Reserve (337)
53. Fairford Reserve (321)
54. Waterhen Band (132)
55. Peguis Band (1,266)

Northwest Territories Bands

56. Dog-Ribs of Fort Rae (718)
57. Indians of Fort Good Hope (273)
58. Indians of district of Fort Providence (319)
59. Indians of Fort Smith (186)
60. Fort Norman Indians (328)

Ontario Bands

61. Wabigoon Lake Band (140)
62. Islington Band (277)
63. Lake Constance Reserve (296)
64. Mississauga Reserve (10)
65. Sault Ste. Marie Agency (1,779)
66. Georgina Island Reserve (160)
67. Whitefish River Reserve (162)
68. Serpent River Band (234)
69. West Bay Band (456)
70. Walpole Island Reserve (897)
71. Six Nations Reserve (splinter group)
72. Hereditary Council of the Six Nations (6,003)
73. Spanish River Band (560)
74. Wahnapiatae Band (59)
75. Sheshegwaning Band (144)
76. Sucker Creek Reserve (85)
77. Garden River Reserve (422)
78. Unceded Band (Manitoulin Island) (1,755)
79. Big Trout Lake Band (1,041)
80. Sarnia Reserve 394)

- 81. Lac Seul Band (548)
- 82. Couchiching Band (376)
- 83. Chippewas of Sarnia (394)
- 84. Caradoc Reserve (1,737)
- 85. Nipissing Reserve (396)
- 86. Muncey of the Thames Band (133)
- 87. Mississauga of the Credit Indians (386)

Quebec Indians

- 88. Seven Islands Band (734)
- 89. Abenaki Band (553)
- 90. Timiskaming Band (330)
- 91. Mohawk Band (Caughnawaga) (3,198)
- 92. Abitibi Agency (228)
- 93. Bersimis Reserve (31)
- 94. Indians of Caughnawaga (splinter group)
- 95. St. Regis Band (609)
- 96. Oka Reserve (507)
- 97. Two Mountains Reserve
- 98. Pierreville Agency (513)

Maritime Bands

- 99. Millbrook Band (N.S.)
- 100. Shubenacadie Reserve (N.S.) (1,372)
- 101. Red Bank Reserve (N.B.) (95)

Indian Organizations

- 102. North American Indian Brotherhood
- 103. Indian Association of Alberta
- 104. Indian Association of Manitoba
- 105. Southwestern Indians of Ontario
- 106. Original Natives of the Fraser Valley and Interior Tribes of British Columbia
- 107. Unaffiliated Indians of Alberta
- 108. Native Brotherhood of British Columbia
- 109. Union of Saskatchewan Indians
- 110. Ten Bands of the Manitoulin Island and North Shore District
- 111. Union of Ontario Indians
- 112. Northwest Angle Treaty Indians

Government Officers

- 113. Robert Hoey, Director of Indian Affairs Branch
- 114. D.M. Mackay, B.C. Commissioner for Indian Affairs
- 115. Max Campbell, M.P. (The Battlefords)
- 116. Diamond Jenness, Dominion Anthropologist
- 117. Bernard Neary, Superintendent of Welfare and Training, Indian Affairs Branch
- 118. P.E. Moore, Indian Medical Services, Department of National Health and Welfare
- 119. Recommendations of Commission on Indian Affairs (1946)

Other Individuals and Organizations

120. The Society for the Furtherance of B.C. Indian Arts and Crafts
121. The Okanagan Society for the Revival of Indian Arts and Crafts
122. Canadian Federation of Agriculture
123. O.M. Martin, Magistrate for County of York
124. B.C. Indian Arts and Welfare Society
125. Norman Lickers, Committee Counsel and Liaison Officer
126. W.S. Arneil, Inspector of Indian Agencies, Ontario
127. The Canadian Legion of the British Empire Service League
128. Calgary Branch, Canadian Authors' Association
129. Fort Alexander Catholic Association
130. Church of England Representatives
131. Robert Johnston, The Presbyterian Church in Canada
132. Andrew Moore, Inspector of Secondary Schools, Manitoba
133. G.H. Gooderham, Inspector of Indian Agencies, Alberta
134. J.P.B. Ostrander, Inspector of Indian Agencies, Saskatchewan
135. T.L. Bannah, Indian Agent, St. Regis Reserve
136. J.W. McKinnon, Inspector of Schools, N.W.T.
137. Local Council of Women, Brantford
138. Catholic Hierarchy of Canada
139. United Church Delegation
140. T.F. McIlwraith, Professor of Anthropology, University of Toronto
141. Principal, Kamloops Reserve School
142. Andrew C. Hamilton, Inspector of Indian Agencies, Manitoba
143. The Vancouver Branch, Canadian Civil Liberties Union
144. Ratepayers, Hobbema
145. The Indian Women's Tillicum Club of Nanaimo Reserve
146. United Native Farmers' Organization of the Stahlo Tribe
147. Veterans' Association, Wikwemikong
148. The Catholic Institute of British Columbia
149. Six Nations (Brant County) Public School Teachers
150. Graduate Student Christian Movement, University of British Columbia

APPENDIX B

Alphabetical Listing of the 24 Principal Requests or Declarations in the Preceding Representations

Indian School Structure

- a. Request for semi-residential school(s)
- b. Request for day school(s)
- c. Preference for day schools
- d. Church influence and/or religious instruction removed from schools
- e. Abolishment of denominational schooling
- f. Church influence and/or religious instruction desired in schools

Indian Schooling Standards

- g. New, extended, and/or improved educational opportunities and/or resources
- h. New or improved vocational training and/or resources
- i. Adult education opportunities and/or resources
- j. Better teachers
- k. Better teacher remuneration
- l. Increased funding
- m. Per capita grant on cost-plus basis
- n. Education study
- o. Provision of nurses and/or welfare workers
- p. More class time or abolishment of half-day labor in residential schools
- q. Schooling general acceptable
- r. Schooling unacceptable

Indian Schooling Alternatives

- s. Provinces responsible for Indian education
- t. Indian children schooled in association with other children in provincial schools
- u. Attendance of Indian children at provincial schools when desired
- v. Provincial curriculum, standards, and/or practices in native schools
- w. Curriculum for Indians
- x. Indian control of native education

APPENDIX C

Requests or Declarations in Each Representation

	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x
1				X	X		X				X	X							X					
2		X		X			X	X								X								
3			X		X															X				
4		X	X				X	X																
5																	X							
6							X										X							
7																	X							
8							X																	
9			X				X										X							
10																	X							
11						X	X			X	X	X				X								
12						X	X			X	X	X				X								
13						X	X	X				X				X								
14				X																				
15							X			X	X													
16	X			X			X																	
17						X											X							
18							X										X							
19			X	X	X			X		X														
20	X						X	X		X			X				X						X	
21						X	X			X	X	X					X							
22						X											X							
23	X					X	X									X		X						
24	X						X			X	X		X				X							
25							X			X	X	X					X							
26							X																	
27										X	X	X					X							
28							X										X							
29							X			X	X		X				X							
30								X				X					X	X						
31		X	X			X	X	X		X	X	X									X			X
32							X										X							
33							X	X									X							
34		X					X			X	X	X	X				X							
35						X	X			X	X			X		X	X							
36		X	X					X																
37						X	X	X		X	X						X							
38	X		X	X			X	X		X		X				X								X
39	X				X		X																	
40	X					X	X	X																
41	X																		X					
42		X	X				X												X					
43							X	X																
44	X						X																	
45							X																	
46		X					X										X							
47		X																						
48		X								X														
49								X				X					X							
50								X																

[illegible]

